



**City Council Meeting
Agenda
July 1, 2024
Auburn Hall, Council Chambers**

5:30 PM Workshop

- Discussion (Zoom): Auburn Housing - Marty Szydlowski, Executive Director, Auburn Housing Authority
- Discussion: Special Events – Liz Allen, Communications Director
- **Executive Session** pursuant to Title 1 M.R.S.A. Section 405(6)(A) for a personnel matter. *Requires 3/5 majority vote to enter Executive Session.*

7:00 PM Meeting

Pledge of Allegiance & Roll Call - Roll call votes will begin with Councilor Cowan

- I. **Consent Items** – All items with an asterisk (*) are considered routine and will be enacted by one motion. *There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.*
- II. **Minutes** – June 17, 2024 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
- IV. **Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*
- V. **Unfinished Business**
- VI. **New Business**
 1. **ORDINANCE 11-07012024** - City Council initiated a **text amendment** to Chapter 60 Article XIII Division 2- Phosphorous Control. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
 2. **ORDINANCE 12-07012024** - City Council initiated a **text amendment** to Chapter 60 Article IV Division 3- Low Density Country Residential District. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is

pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*

3. **ORDINANCE 13-07012024** - City Council initiated a **text amendment** to Chapter 60 Article XII Division 4-Lake Auburn Watershed Overlay District. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
4. **ORDINANCE 14-07012024** - Consider adopting the Lake Auburn Watershed Overlay District Septic Systems Inspection Map. This map will be referred to in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
5. **ORDINANCE 15-07012024** - Consider adopting the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map. This map will be referenced in Chapter 60 Article XII Division 4-Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60 Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
6. **RESOLVE 6-07012024** - Resolve calling on the Lake Auburn Watershed Protection Commission to Fund Subsurface Wastewater System Inspections in the Lake Auburn Watershed. *Passage requires majority vote.*
7. **ORDINANCE 16-070102024** - City Council initiated a zoning **text amendment** to Chapter 60, Division 2 Site Plan Review pursuant to Chapter 60, Article XVII Division 2-Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
8. **ORDINANCE 17-07012024** – Consider a zoning map amendment to convert City Assessor’s Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district. The City Council introduced this proposal in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. *First reading.*
9. **ORDER 87-07012024** – Allocating \$70,000 in ARPA funds for Auburn housing study. *Passage requires majority vote.*
10. **ORDER 88-07012024** – Allocating \$40,000 in APRA funds for food insecurity. *Passage requires majority vote.*
11. **ORDER 89-07012024** – Repurposing 121 Mill Street as a community resource center. *Passage requires majority vote.*
12. **ORDER 90-07012024** – Allocating \$438,702.83 in APRA funds for the 121 Mill Street Resource Center and relocating the Business & Community Development Department. *Passage requires majority vote.*

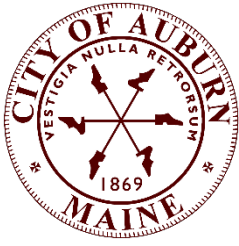
VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

VIII. Reports

- a. **Mayor's Report**
- b. **City Councilors' Reports**
- c. **Student Representative Report**
- d. **City Manager Report**
- e. **May 2024 Finance Report** – Kelsey Earle, Finance Director

IX. Executive Session

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024,

Order: Workshop Item

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Discussion - Auburn Housing Authority

Information:

Councilor Milks and Councilor Walker requested Auburn Housing Executive Director Marty Szydlowski to attend the workshop to provide information regarding the state of housing from the housing authorities' perspective and provide updates on any current or potential projects.

City Budgetary Impacts: NONE

Staff Recommended Action:

Discussion and feedback.

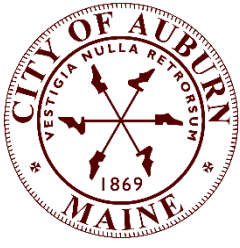
Previous Meetings and History:

None

City Manager Comments:

Attachments:

NONE



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Order: Workshop Item

Author: Liz Allen, Director of Communications & Community Engagement

Subject: Special events discussion

Information: The Communications Director and Downtown Coordinator will present information about the city's existing signature and community events. Staff will also propose other potential events for council consideration.

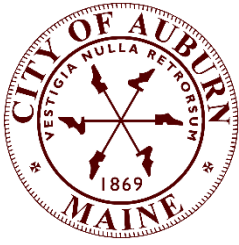
City Budgetary Impacts: Special events budget was reduced for FY25; discussion of how best to manage these funds while meeting council and community expectations.

Staff Recommended Action: Establish council priorities regarding events in Auburn so Communications/Engagement team can create and implement an events plan.

Previous Meetings and History: Recent budget presentation.

City Manager Comments:

Attachments: None



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: July 1, 2024

Subject: Executive Session

Information: Executive Session pursuant to 1 M.R.S.A. Section 405(6) (A) to discuss a personnel matter.

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
 - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
 - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
 - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.
- This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

IN COUNCIL WORKSHOP & MEETING JUNE 17, 2024 VOL 37 PAGE 172

At 5:30pm, Councilor Gerry moved to enter executive Session pursuant to Title 1 M.R.S.A. Section 405(6)(C) for discussion of an economic development matter. Seconded by Councilor Walker. Motion passed 7-0. Council came out of executive session at 6:37pm.

Mayor Harmon called the meeting to order at 7:00P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

II. Minutes – June 3, 2024 Regular Council Meeting

Motion made by Councilor Walker to accept the minutes, seconded by Councilor Platz. Motion passed with 6 votes in favor, 1 abstention (Weisner).

III. Communications, Presentations and Recognitions

Mayor Harmon announced the School Budget Referendum Certified Official Results from the June 11, 2024 election. The school budget passed.

Mayor Harmon read the Proclamation for World Refugee Day 2024.

IV. Open Session

There were no speakers from the public.

V. Unfinished Business

1. Order 82-06032024 - Authorizing the City's general obligation bonds in the amount of \$16,565,750 to finance the City's FY25 Capital Improvement Program. Amended and passed first reading on June 6, 2024. Public hearing. ROLL CALL VOTE. Passage requires an affirmative vote of 5 Councilors at the second reading.

Motion for passage by Councilor Whiting, seconded by Councilor Walker.

The Mayor opened the item for public hearing. There was no comment. The Mayor closed the public hearing. The Finance Director clarified the interest rate is 3.5%. Motion passed 6-1 (Gerry opposed).

VI. New Business

1. Order 86-06172024 – Authorizing the City Clerk to waive the \$60 business license fee for the Age Friendly Community Committee's concessions stand in Festival Plaza on Wednesday evenings from June 26, 2024 through August 21, 2024. Passage requires majority vote.

Motion for passage by Councilor Gerry, seconded by Councilor Walker. Councilor Walker explained this would be in conjunction with the concert series on Wednesday evenings. Motion passed 7-0.

VII. Open Session

There were no speakers from the public.

VIII. Reports

IN COUNCIL WORKSHOP & MEETING JUNE 17, 2024 VOL 37 PAGE 173

a. **Mayor's Report** - The Mayor spoke of attending several ribbon cuttings for local businesses. Attended the Auburn Adult Education graduation. Attended portrait unveiling at Bates in Lewiston. Announced there will be a special city council meeting on 6/24 at 5:30pm for two items – septic issues and homeless services.

b. **City Councilors' Reports** - Councilor Whiting thanked Police and Fire for outstanding job this weekend. Councilor Cowan said there was a meeting of the ad-hoc homeless committee happening this week. Councilor Weisner thanked Police and Fire, asked for an update on the L/A Balloon Festival. Councilor Walker commented on the Age Friendly's concessions stand in Festival Plaza starting on 6/26. Councilor Platz recognized passing the School Budget, thanked the School Department for putting together a responsible budget.

c. **Student Representative Report** - None.

d. **City Manager Report** - Gave a brief Capital Infrastructure Projects Update (this item was moved from the Workshop agenda). The PAL center is being built; ground breaking ceremony will occur on July 12. Goal is to have this completed by July 2025. Beginning Engine 2 building behind current building. Public Safety Facility ad-hoc committee met with Landry French and will tour the Scarborough Public Safety facility; to begin site work and ready for move-in in late 2027. 67 Kittyhawk timeline is to be move in ready in 2028 for Fire Services. A team is monitoring the heat and weather concerns for this upcoming week, expected weather in the 90s; a cooling center will be at the Norway Savings Bank Arena and Library will be available during normal business hours. Thanked the public safety staff and other staff and surrounding partners for responding to the crisis this weekend. Updated the Council on the L/A Balloon Festival; funds are currently being raised, vendors are being secured, Liz Allen (Communications Director) will be coordinating for Auburn.

e. **April 2024 Finance Report** was presented by Kelsey Earle, Finance Director. Motion to accept the report made by Councilor Walker, seconded by Councilor Milks. Passed 7-0.

Councilor Cowan made a motion to enter Executive Session pursuant to Title 1 M.R.S.A. Section 405(6)(A) for City Manager's annual review at 7:28pm, seconded by Councilor Walker. Motion passed 7-0.

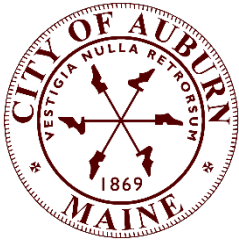
The Council came out from executive session at 7:40pm.

X. Adjournment

Motion to adjourn made by Councilor Walker, seconded by Councilor Milks. Motion passed 7-0.

A TRUE COPY ATTEST

Emily F. Carrington, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance: 11-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: First Reading on Chapter 60 Article XIII Division 2- Phosphorous Control Ordinance Amendments

Information: The proposed amendments pertain to septic system installation, maintenance and replacements and new development. Specifically, it lowers the "acceptable increase" of Phosphorous which can be discharged into Lake Auburn and lowers the acreage of developable land to reflect the reduced, potentially developable, acreage and phosphorus allocations after the changes to lot sizes and use regulations were made last December. This amendment follows orders 04-01022024 and order 71-05062024.

The planning board held a public hearing on the text amendments within Ch. 60, Article 2 General Provisions, Division 4 Lake Auburn Watershed Overlay District Sec. 60-951, Sec. 60-952 and Sec 60-953 and made a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 2 Phosphorus Control, Sec. 60-1065, and Sec.60- 1069. Staff notes that there was a clerical error in the planning board draft that we are asking the Council to vote to amend as part of the vote tonight. The details for the number changes to developable acreage and phosphorus allocations were presented to Planning board and Council during previous workshops and the Planning Board Public Hearing.

City Budgetary Impacts: None anticipated

Staff Recommended Action: Staff recommends that the Council hold first reading and vote on this item. Second reading and Public Hearing will be on July 15, 2024.

Previous Meetings and History: Recommendations originate from approximately ten stakeholder meetings from February through May. Planning Board held a workshop and public hearing on May 14.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Ordinance, Article XIII Division 2-Phosphorous Control Proposed Text Amendment, May 14
Planning Board Recommendation, Phosphorous Allocations



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/18/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Phosphorous Control Text Amendment in the Lake Auburn Watershed

The following is the report from the Planning Board regarding text amendments pertaining to Phosphorous loading within the Lake Auburn Watershed. After notice and Public Hearings held on May 14th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ TEXT AMENDMENT: City Council initiated a text amendment to Chapter 60 Article XIII Division 2- Phosphorous Control. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Note from Staff: There was a clerical error in one of the phosphorous calculations.

Motion: Ryan Smith makes a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 2 Phosphorus Control, Sec. 60-1065, and Sec.60- 1069.

Second: Paul Jaques,

Vote: 6-1-0. Motion Carries

Sec. 60-1065. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable increase in lake phosphorus concentration (C) is based upon water quality and the city's selected level of protection. For Taylor Pond the number is 0.75; for Lake Auburn the number is ~~0.5~~ 0.25.

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Direct watershed means any land area which contributes storm-water runoff by either surface or subsurface flow to Taylor Pond or Lake Auburn without such runoff first passing through an upstream lake.

Future area to be developed (D) means an estimate of the acreage in the city's share of the direct watersheds that will be developed during the planning period of 50 years. For Taylor Pond, the estimated future developed acreage is 715.3; for Lake Auburn, the estimated future developed acreage is ~~1,180.0~~ 150.

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Lake Auburn means the Lake Auburn Watershed regulated by this chapter, which is all land areas within the direct watershed of Lake Auburn as defined on the attached map entitled Lake Auburn Watershed Overlay District Map.

Per-acre phosphorus allocation (P) means the acceptable increase of phosphorus export per acre in the watershed as determined by solving the following equation $(P) = (FC)/(D)$. For Taylor Pond, the phosphorus allocation is 0.03~~65~~; for Lake Auburn, the phosphorus allocation is ~~0.02047~~ 0.02047.

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Phosphorus export coefficient (F) means the amount of phosphorus export from the watershed each year that will produce a one ppb increase in the lake's phosphorus concentration. For Taylor Pond, the phosphorus coefficient is 35.26 lbs/ppb/year; for Lake Auburn, the phosphorus coefficient is ~~109.9~~ 3.74 lbs/ppb/year.

Taylor Pond means the Taylor Pond Watershed regulated by this chapter, which is all land areas within the direct watershed of Taylor Pond as defined on the attached map entitled "Taylor Pond Watershed Map".
(Ord. of 9-21-2009, § 5.7B; Ord. No. 28-11202023, 12-4-2023)

Per-Acre Phosphorus Allocations for Selected Lakes

[illegible]

Per-Acre Phosphorus Allocations for Selected Lakes

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PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE XIII. - ENVIRONMENTAL PERFORMANCE STANDARDS
DIVISION 2. PHOSPHORUS CONTROL

DIVISION 2. PHOSPHORUS CONTROL

Sec. 60-1064. Purpose.

- (a) The purpose of this division is to provide protection against additional phosphorus export to Taylor Pond and Lake Auburn from new land uses and changes in existing land uses by ensuring that development within the watersheds does not generate more phosphorus than the water bodies can handle and by eliminating or reducing existing sources of phosphorus.
- (b) Phosphorus, a nutrient, stimulates algal growth, the main cause of water quality decline. The primary source of new and increasing phosphorus loading in the state lakes is land development: residential, commercial and industrial.

(Ord. of 9-21-2009, § 5.7A)

Sec. 60-1065. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable increase in lake phosphorus concentration (C) is based upon water quality and the city's selected level of protection. For Taylor Pond the number is 0.75; for Lake Auburn the number is .25.0-5.

Direct watershed means any land area which contributes storm-water runoff by either surface or subsurface flow to Taylor Pond or Lake Auburn without such runoff first passing through an upstream lake.

Future area to be developed (D) means an estimate of the acreage in the city's share of the direct watersheds that will be developed during the planning period of 50 years. For Taylor Pond, the estimated future developed acreage is 715.3; for Lake Auburn, the estimated future developed acreage is 1,180.0-.150.

Lake Auburn means the Lake Auburn Watershed regulated by this chapter, which is all land areas within the direct watershed of Lake Auburn as defined on the attached map entitled Lake Auburn Watershed Overlay District Map.

Per-acre phosphorus allocation (P) means the acceptable increase of phosphorus export per acre in the watershed as determined by solving the following equation $(P) = (FC)/(D)$. For Taylor Pond, the phosphorus allocation is 0.0365; for Lake Auburn, the phosphorus allocation is 0.04720.

Phosphorus export coefficient (F) means the amount of phosphorus export from the watershed each year that will produce a one ppb increase in the lake's phosphorus concentration. For Taylor Pond, the phosphorus coefficient is 35.26 lbs/ppb/year; for Lake Auburn, the phosphorus coefficient is 109.9-3.74 lbs/ppb/year.

Taylor Pond means the Taylor Pond Watershed regulated by this chapter, which is all land areas within the direct watershed of Taylor Pond as defined on the attached map entitled "Taylor Pond Watershed Map".

(Ord. of 9-21-2009, § 5.7B; Ord. No. 28-11202023, 12-4-2023)

Sec. 60-1066. Applicability.

This division shall apply to all land areas within the direct watersheds of Taylor Pond and Lake Auburn. The following land uses shall be required to obtain a phosphorus control permit and conform to the standards contained in this division:

- (1) Any new building or structure with more than 200 square feet of ground floor area.
- (2) Any expansions or series of expansions of ground floor area of any existing building which increases the area of the ground floor by more than 30 percent of that which exists at the time of adoption of the ordinance from which this division is derived.
- (3) Any earth moving, brush and tree cutting which impacts 10,000 square feet or more whether accomplished as a single activity or as a series of activities beginning on the date of adoption of the ordinance from which this division is derived shall only meet the criteria contained in section 60-1069.
- (4) Road or driveway construction and reconstruction and parking area construction which affects more than 1,500 square feet of land area whether accomplished as a single activity or as a series of activities beginning on the date of adoption of the ordinance from which this division is derived shall only meet the criteria contained in section 60-1069.
- (5) All projects for which special exception, site plan and subdivision review is required.

(Ord. of 9-21-2009, § 5.7C; Ord. No. 15-05022022, 5-16-2022)

Sec. 60-1067. Exemptions.

This division shall not apply to the following:

- (1) Changes of use within an existing structure where no ground floor expansion and/or road, driveway and parking area expansion is planned.
- (2) Timber management or harvesting operations conducted according to a management plan prepared and supervised by a registered forester (unless required by division 4 of article XII of this chapter) or the city water district.
- (3) Agricultural uses conducted according to a soil and water conservation plan approved by the Androscoggin County Soil and Water Conservation District.

(Ord. of 9-21-2009, § 5.7D)

Sec. 60-1068. Best management practices.

Agriculture, silviculture, mining, chemical use and storage and waste disposal activities should be conducted in accordance with the best management practices (BMPs) as recommended by the department of environmental protection, the state soil and water conservation commission, the cooperative extension service or other appropriate public service agency. New roads and the reconstruction of existing roads, driveways, drainage diversions, ditches and roadside buffers should be designed for the worst storm conditions in accordance with the best management practices (BMPs) recommended by the department of environmental protection, the state soil and water conservation commission, the cooperative extension service or other appropriate public service agency.

(Ord. of 9-21-2009, § 5.7E)

Sec. 60-1069. Erosion and sedimentation controls.

A comprehensive erosion and sedimentation control plan, including a proposed program for the maintenance and periodic inspection of all control facilities which will remain after the project is completed and a designation of the responsible party, shall be submitted to the city planning, permitting, and code department as follows:

- (1) In the Taylor Pond Watershed ~~-, A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual Volume III, March 2016. DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development, the latest edition of the Maine Erosion and sediment Control Handbook and all building and environmental protection requirements of this Code. For dwelling units, the Basic Single Family Residential (SFR) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.
- (2) In the Lake Auburn Watershed Overlay District, ~~A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual III, March 2016, DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development, the latest edition of the Maine Erosion and Sediment Control Handbook, and all building and environmental protection requirements of this Code ~~and criteria of the city water district or commission.~~ For dwelling units, the Basic Single Family Residential (SFR) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.

(Ord. of 9-21-2009, § 5.7F)

Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.

- (1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:
 - a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.
 - b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.
 - c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.
 - d. A comprehensive erosion and sedimentation control plan, designed in accordance with the latest version of Maine Erosion and Sediment Control Handbook for Construction: Best Management

Practices, ~~March 1991~~ October 2016, and all building and environmental protection requirements of this Code.

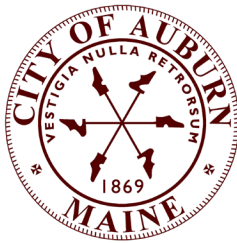
(2) *Review method.*

- a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.
- b. Projects meeting the following criteria may employ the simple review method:
 1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.
 2. Activity which includes less than 200 feet of new or upgraded road construction.

- (3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G; Ord. No. 11-03012021, § 81, 3-15-2021; Ord. No. 10-03072022, 3-21-2022)

Secs. 60-1071—60-1093. Reserved.



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XIII. ENVIRONMENTAL PERFORMANCE STANDARDS

• • •

DIVISION 2. PHOSPHOROUS CONTROL

• • •

Sec. 60-1065. Definitions.

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Direct watershed means any land area which contributes storm-water runoff by either surface or subsurface flow to Taylor Pond or Lake Auburn without such runoff first passing through an upstream lake.

Future area to be developed (D) means an estimate of the acreage in the city's share of the direct watersheds that will be developed during the planning period of 50 years. For Taylor Pond, the estimated future developed acreage is 715.3; for Lake Auburn, the estimated future developed acreage is 150 1,180-0.

Lake Auburn means the Lake Auburn Watershed regulated by this chapter, which is all land areas within the direct watershed of Lake Auburn as defined on the attached map entitled Lake Auburn Watershed Overlay District Map.

Per-acre phosphorus allocation (P) means the acceptable increase of phosphorus export per acre in the watershed as determined by solving the following equation $(P) = (FC)/(D)$. For Taylor Pond, the phosphorus allocation is 0.0365; for Lake Auburn, the phosphorus allocation is 0.04720.

Phosphorus export coefficient (F) means the amount of phosphorus export from the watershed each year that will produce a one ppb increase in the lake's phosphorus concentration. For Taylor Pond, the phosphorus coefficient is 35.26 lbs/ppb/year; for Lake Auburn, the phosphorus coefficient is 3.74 109-9 lbs/ppb/year.

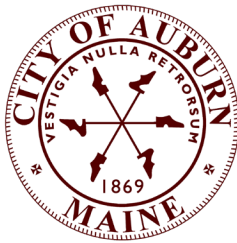
Taylor Pond means the Taylor Pond Watershed regulated by this chapter, which is all land areas within the direct watershed of Taylor Pond as defined on the attached map entitled "Taylor Pond Watershed Map".

(Ord. of 9-21-2009, § 5.7B; Ord. No. 28-11202023, 12-4-2023)

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

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Sec. 60-1069. Erosion and sedimentation controls.

A comprehensive erosion and sedimentation control plan, including a proposed program for the maintenance and periodic inspection of all control facilities which will remain after the project is completed and a designation of the responsible party, shall be submitted [to the city planning, permitting, and code department](#) as follows:

- (1) [In the](#) Taylor Pond Watershed ~~-, A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ [latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual Volume III, March 2016. DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development](#), the latest edition of the Maine Erosion and sediment Control Handbook and all building and environmental protection requirements of this Code. [For dwelling units, the Basic Single Family Residential \(SFR\) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.](#)
- (2) [In the](#) Lake Auburn Watershed [Overlay District](#) ~~-, A-a~~ plan designed in accordance with the applicable sections of ~~chapter 8 of the~~ [latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II & Technical Design Manual III, March 2016. DEP Phosphorous Control and Lake Watersheds: A Technical Guide to Evaluating New Development](#), the latest edition of the Maine Erosion and Sediment Control Handbook, and all building and environmental protection requirements of this Code ~~and criteria of the city water district or commission.~~ [For dwelling units, the Basic Single Family Residential \(SFR\) Lot Standards of the latest edition of Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual, Volume II shall be used.](#)

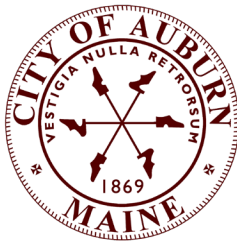
(Ord. of 9-21-2009, § 5.7F)

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Sec. 60-1070. Submission requirements.

All projects subject to review under the provisions of this division shall submit a phosphorus control plan and maintenance provisions meeting the standards set forth in design criteria of the Maine Department of Environmental Protection, Maine Stormwater Management Design Manual, Phosphorus Control Manual Volume II, March 2016.

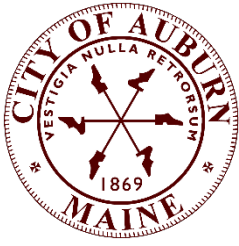
- (1) *Plan submission.* Plans shall be submitted and processed in accordance with article XVI of this chapter. In addition to the requirements for submission under this article, the following instructions shall be provided:



City Council Ordinance

- a. A long-term maintenance plan for all phosphorus control measures including provisions for inspection and repair, designation of responsible parties, contractual obligations and proposed deed restrictions.
 - b. Hydrologic soil class of all areas to be cleared or where clearing will be permitted, with the area indicated in square feet of each lot using the appropriate method as described in the phosphorus control manual.
 - c. All calculations and worksheets in the format of those contained in the phosphorus control manual and detailed construction specifications and diagrams for all control measures.
 - d. A comprehensive erosion and sedimentation control plan, designed in accordance with the latest version of Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, March 1991 October 2016, and all building and environmental protection requirements of this Code.
- (2) *Review method.*
- a. All projects shall use the standard review method and shall conform to the Phosphorus Allocation standard set forth in this division including the following: Expansions of four lot subdivisions which were previously approved using the simple review method.
 - b. Projects meeting the following criteria may employ the simple review method:
 1. Minor subdivisions with four or fewer lots provided that these developments contain less than 200 feet of new or upgraded roads and/or all driveways serving residential uses are less than 150 feet in length.
 2. Activity which includes less than 200 feet of new or upgraded road construction.
- (3) *Commercial and industrial development and expansions.* Commercial and industrial development and expansions of commercial and industrial developments and the expansion of multifamily dwelling units, which involve less than 15,000 square feet of disturbed area. All other subdivisions including expansions of previously approved four-lot subdivisions which were reviewed using the simple review method and all other projects shall utilize the standard review method.

(Ord. of 9-21-2009, § 5.7G; Ord. No. 11-03012021, § 81, 3-15-2021; Ord. No. 10-03072022, 3-21-2022)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance: 12-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: First Reading on Amendment to Article IV Division 3- LDCR Setbacks.

Information: City Council initiated a text amendment to Chapter 60 Article IV Division 3- Low Density Country Residential District as part of order 04-01022024 and order 71-05062024. The proposed amendment is to reduce the minimum front yard setback in the Low-Density Country Residence District to reduce disturbed and impervious area, and therefore the potential nutrient runoff to the lake possible from any new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.


The Planning Board recommended that City Council to amend text to Chapter 60, Article II General Provisions, Division 3, Low Country Density Residential, Sec. 60-202 as shown in the attached meeting materials.

City Budgetary Impacts: None anticipated

Staff Recommended Action: Staff recommends that the Council hold first reading and vote on this item. Second Reading and Public Hearing will be on July 15, 2024.

Previous Meetings and History: Recommendations originate from approximately ten stakeholder meetings from February through May. Planning Board held a workshop and public hearing on May 14 and forwarded a favorable recommendation.

City Manager Comments:

I concur with the recommendation. Signature: 

Attachments:

Ordinance, Article IV Division 3-LDCR Proposed Text Amendment, May 14 Planning Board Recommendation.



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/18/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Lake Auburn Watershed Text Amendment (LDCR minimum setback)

The following is the report from the Planning Board regarding text amendments pertaining to increasing the minimum setback in the LDCR district to reduce runoff within the Lake Auburn Watershed. After notice and Public Hearings held on May 14th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ TEXT AMENDMENT: City Council initiated a text amendment to Chapter 60 Article IV Division 3- Low Density Country Residential District. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Motion: Ryan Smith makes a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 3, Low Country Density Residential, Sec. 60-202.

Second: Paul Jacques

Dave Trask asks for clarification that this item is just changing the minimum setback for building form 50' to 25'. That is confirmed.

Vote: 7-0-0 Motion Carries.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE IV. - DISTRICT REGULATIONS
DIVISION 3. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

DIVISION 3. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

Sec. 60-200. Purpose.

The purpose of this zone is to maintain and promote the rural/agricultural character of the land within this zone. This zone is composed of those areas in the city whose predominant land use is rural, wooded and agricultural. The regulations for this zone are designed to protect and stabilize these predominant land uses which are the essential characteristics of these areas and to minimize conflicting land uses detrimental to agricultural enterprises. Since residences are only incidental to this zone's development, the densities which require improved roads and expanded municipal services, in excess of those required by the present agricultural-oriented uses, shall not be permitted.

(Ord. of 9-21-2009, § 3.32A)

Sec. 60-201. Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (14) and (15).
- (2) One-family detached dwellings.
- (3) Two-family dwellings.
- (4) Lawn maintenance services.

(b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVI of this chapter:

- (1) All uses permitted by special exception in the Agriculture and Resource Protection (AR) District, (division 2 of article IV of this chapter), except uses allowed by section 60-172(b)(7), (14), and (15).
- (2) Bed and breakfast.
- (3) Adaptive reuse of structures of community significance.

(Ord. of 9-21-2009, § 3.32B; Ord. 33-02072011-08, 2-7-2011; Ord. No. 08-08012011-07b, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-08192019, 9-9-2019; Ord. No. 11-03012021, § 9, 3-15-2021; Ord. No. 27-06212021, 7-19-2021)

Sec. 60-202. Dimensional requirements.

All structures in this district except as noted shall be subject to the following dimensional regulations:

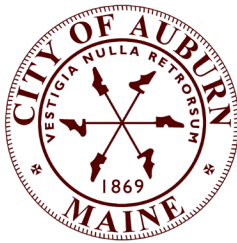
- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for

domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of farm, livestock contained in section 60-2.

- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less, unless the lot is in the Lake Auburn Watershed Overlay District in which case the front yard shall have a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.32C; Ord. No. 11-03012021, §§ 10, 11, 3-15-2021)

Secs. 60-203—60-227. Reserved.



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE IV. DISTRICT REGULATIONS

• • •

DIVISION 3. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

• • •

Sec. 60-202. Dimensional requirements.

All structures in this district except as noted shall be subject to the following dimensional regulations:

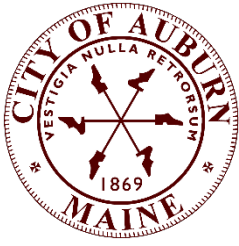
- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than three acres and measuring less than 325 feet in width. No lot shall be less than 200 feet in depth. The keeping of horses, mules, cows, goats, sheep, hogs and similar size animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit forms to the definition of farm, livestock contained in section 60-2.
- (2) *Density.* The density of dwelling units shall not exceed an average of one dwelling per three acres.
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot, whichever is less.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line plus the side yard setback shall be increased one foot for every five feet or part thereof increase in street frontage over 50 feet to a maximum of 25 feet for side yard setback.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 50 feet or 25 percent of the average depth of the lot whichever is less, unless the lot is in the Lake Auburn Watershed Overlay District in which case the front yard shall have a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to 2½ stories or 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard, and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.



City Council Ordinance

- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.32C; Ord. No. 11-03012021, §§ 10, 11, 3-15-2021)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance: 13-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: First reading on text amendments to Lake Auburn Watershed Overlay District

Information: The planning board held a public hearing on the text amendments within Ch. 60, Article 2 General Provisions, Division 4 Lake Auburn Watershed Overlay District Sec. 60-951, Sec. 60-952 and Sec 60-953.

The text amendments presented here were proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024.

The planning board recommended three amendments or conditions on the motion to forward a favorable recommendation to city council to amend text to Ch. 60, Article 2 General Provisions, Division 4 Lake Auburn Watershed Overlay District Sec. 60-951, Sec. 60-952 and Sec. 60-953. The amendments/conditions included 1.) Add a comma to page 5, Sec. 6 before the word LAWPC, 2.) Obtain legal opinion on Title 30-A Sec. 4360 Rate of Growth Ordinance and confirm if we can set a rate of 3 units per year 3.) That effective date of the inspection program be delayed 1 year and until there is a dedicated pool of funding available for SSWW System owners.

The City has obtained the requested legal opinion requested by the planning board and the provision does not violate the Statute. The city is also pursuing funding opportunities for septic inspections as was discussed at the workshop and you will vote on tonight. The comma correction has been added to the ordinance text as a clerical error.

City Budgetary Impacts: Staff Time

Staff Recommended Action: Staff recommends that the Council hold first reading and vote on this item.

Previous Meetings and History: Recommendations originate from approximately ten stakeholder meetings from February through May. Planning Board held a workshop on this text amendment on May 14, and made a positive recommendation on June 18.

City Manager Comments:

I concur with the recommendation. Signature: *Phillip Crowell Jr.*

Attachments: Ordinance, Division 4- Lake Auburn Watershed Overlay District Text Amendment related to new and replacement septic systems in the watershed, June 18 Planning Board Motion, Staff Report, Phosphorous allocation summary.



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/18/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Lake Auburn Watershed Text Amendment (Septic Systems & New Development)

The following is the report from the Planning Board regarding text amendments pertaining to new development and new, upgraded, and replacement septic systems in the Lake Auburn Watershed Overlay District. After notice and Public Hearings held on June 18th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ TEXT AMENDMENT: The Planning Board is to review text updates to Article II General Provisions, Lake Auburn Watershed Overlay District as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024.

Summary and Discussion: The planning board held a public hearing on the text amendments within Ch. 60, Article 2 General Provisions, Division 4 Lake Auburn Watershed Overlay District Sec. 60-951, Sec. 60-952 and Sec 60-953. The planning board discussed how to best achieve the goal of recommending the text amendment only if a few amendments were addressed. They made the motion, made four (4) amendments to their original motion, and then voted to forward a favorable recommendation to the Council for this text change if the amendments were considered.

Motion: Ryan Smith makes a motion: I make a motion to forward a favorable recommendation to city council to amend text to Ch. 60, Article 2 General Provisions, Division 4 Lake Auburn Watershed Overlay District Sec. 60-951, Sec. 60-952 and Sec. 60-953. **Second:** Bob Hayes seconds the motion.

Amendment: Riley makes an amendment to add a comma to page 5 sec 6 before the word LAWPC **Second:** Ryan Smith seconds the amendment.

Amendment passes 5-0-0

Amendment: Bob Hayes moves that we delay the implementation of the inspection program for a full year.

Second: Ryan Smith seconds. **Amendment passes 5-0-0**

Amendment: Dave Trask makes an amendment that we remove the maximum of three dwellings in the first paragraph in Sec. 8. **Second:** Ryan Smith seconds.

Vote: 3-2-0 motion does not pass (4 votes are needed to pass a motion).

Amendment: Dave Trask makes an amendment to request legal opinion on Title 30-A Sec. 4360 Rate of Growth Ordinance to have legal opinion to confirm that it is within the municipality as stated in Sec. 3, paragraph B.

Second: Riley Bergeron seconds the amendment.

Vote: 4-1-0 amendment passes.

Amendment: Riley Bergeron makes one more amendment that the effective date of the inspection program be delayed until there is a dedicated pool of funding available for septic owners. **Second:** Ryan Smith seconds this amendment.

Vote: 4-1-0 amendment passes.

Vote on motion with amendments: 5-0-0 motion passes.



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

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To: Auburn Planning Board
From: John Blais, Deputy Director of Planning & Permitting
Re: Item #5 Text and Map Amendments Related to Lake Auburn Stakeholders Group
Date: June 18, 2024

I. PROPOSAL: The Planning Board is to review text updates to Article II General Provisions, Lake Auburn Watershed Overlay District as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024. (See attached redlined items)

II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

III. SUGGESTED FINDINGS OF FACT:

1. The amendments are consistent with the growth pattern specified in the Future Land Use Plan in Auburn's Comprehensive Plan.
2. The proposed map and text amendments serve Goal A.1 in the Comprehensive Plan to maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid or delay the need for costly treatment (pages 4-9)
3. These proposed amendments are in service of Goal B.1 in the Comprehensive plan, to ensure sufficient clean water supplies to meet current and future needs (pages 20-21).
4. These amendments align with the Lake Auburn Study, 2021; and the report by FB Environmental: Lake Auburn Memo from August 2022.
5. These amendments are the result of several public meetings with the Lake Auburn Stakeholders Group as ordered by City Council.

IV. PLANNING BOARD ACTION/STAFF RECOMMENDATIONS:

C.) Lake Auburn Overlay District: This item is on the Planning Board agenda as a public hearing item. Staff recommends the Planning Board have a discussion and make a formal recommendation to the City Council to the text amendments in Chapter 60, Article II General Provisions, Division 4, Lake Auburn Watershed Overlay District, Sec. 60-951, Sec. 60-952, and Sec.60-953.

Staff recommends this text change as it clarifies and updates the following: Definitions, Update the SSWW rules, Drinking Water Program Review, Septic System Inspection Program, Limit new systems/homes in the watershed, mechanisms for enforcement, and updates to shoreland zoning setbacks.

POTENTIAL MOTION: I make a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 4 Lake Auburn Watershed Overlay District, Sec. 60-951, Sec.60-952 and Sec. 60-953.

PART II - CODE OF ORDINANCES
Chapter 60 - ZONING
ARTICLE XII. - ENVIRONMENTAL REGULATIONS
DIVISION 4. LAKE AUBURN WATERSHED OVERLAY DISTRICT

DIVISION 4. LAKE AUBURN WATERSHED OVERLAY DISTRICT

Sec. 60-950. Purpose.

The Lake Auburn Watershed Overlay District is intended to maintain safe and healthful environmental conditions; prevent and control water pollution; protect spawning ground for fish, aquatic life, bird and other wildlife habitats; control building sites; provide visual and physical points of access to waters and natural beauty; and protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed to the population of the Auburn-Lewiston area.

(Ord. of 9-21-2009, § 5.3A; Ord. No. 28-11202023, 12-4-2023)

Sec. 60-951. Boundaries and definitions.

(a) *Boundaries.* The Lake Auburn Watershed Overlay District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the Auburn Water District on file in the office of the Auburn Water District, the city ~~planning, permitting and code department~~~~department of planning and permitting services~~ and the city clerk. The Lake Auburn Watershed Overlay District shall be superimposed over underlying zoning districts within ~~such section~~the city. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed Overlay District.

(b) *Definitions.* For purposes of this division, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned.

Building has the same meaning as in section 60-2.

Curtain drain means a ~~trench~~trench to intercept laterally moving ground water and divert it away from a septic system disposal field.

Dwelling Unit has the same meaning as in section 60-2.

Hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where:

- (1) The products produced through such use of the land is for personal consumption, pleasure or sustenance by those occupying the land and does not involve the sale of the products produced through such use of the land for profit; and
- (2) The allowances set forth in section 60-2 regarding "farm, livestock" of this chapter and the allowances set forth in article VII, division 4 of chapter 8 of this Code are not exceeded.

Lake Auburn Watershed Protection Commission or *LAWPC* means the commission formed through an interlocal cooperation agreement between and among the Auburn Water District, City of Lewiston, and the Town of Turner, consisting of three commissioners appointed by the Auburn Water District, three commissioners appointed by the City of Lewiston, one commissioner appointed by the Town of Turner, one commissioner appointed by the Towns of Hebron, Minot and Buckfield, and one commissioner appointed by the Androscoggin Valley Council of Governments.

Local plumbing inspector means a plumbing inspector or alternate plumbing inspector as defined in Section 12-22.

Non-hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where the products produced through such use of the land are sold for profit.

Normal high-water line and Normal high-water mark means that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land.

Soil horizon means a layer within a soil profile differing from the soil above or below it in one or more soil morphological characteristics. The characteristics of the layer include the color, texture, rock-fragment content, and ~~consistence~~consistency of each parent soil material.

Soil horizon, limiting or limiting soil horizon means any soil horizon or combination of soil horizons, within the soil profile or any parent material below the soil profile, that limits the ability of the soil to provide treatment or disposal of septic tank effluent. Limiting horizons include bedrock, hydraulically restrictive soil horizons and parent material excessively coarse soil horizons and parent material, and the seasonal groundwater table. Any of these limiting horizons may from time to time be ~~Also sometimes~~ referred to as a "limiting factor."

Soil profile means a vertical cross section of the undisturbed soil showing the characteristic soil horizontal layers or soil horizons that have formed as a result of the combined effects of parent material, topography, climate, biological activity, and time.

Soil filter media means a soil mixture that consists of a loamy sand lower fill layer meeting the following lower fill layer specifications, plus a minimum of six inches of upper fill layer meeting the following upper fill layer specifications.

Soil Filter Media Specifications

Upper fill layer	
Sieve #	% passing by weight
No. 4	75—95
No. 10	60—90
No. 40	35—85
No. 200	20—40
200 (clay size)	< 2.0

Lower fill layer	
Sieve #	% passing by weight
No. 10	85—100
No. 20	70—100
No. 60	15—400
No. 200	6—8
200 (clay size)	< 2.0

State licensed site evaluator means a person licensed by the Maine Department of Health and Human Services to evaluate soils for the purpose of designing subsurface wastewater disposal systems.

Stream or Brook means a channel between defined banks as depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topographic map.

Subsurface wastewater disposal system inspector means a person who holds a current certification issued by the Maine Department of Health and Human Services, Division of Environmental and Community Health as a Subsurface Wastewater Disposal System Inspector.

(Ord. of 9-21-2009, § 5.3B; Ord. No. 28-11202023, 12-4-2023)

Sec. 60-952. Use and environmental regulations.

1. Subsurface Wastewater Disposal Systems.

- (ba) ~~Residential~~ Dwelling units in the agriculture and resource protection zoning district. Notwithstanding the provisions of subsections 60-145(a)(1), 60-145(b)(18) and 60-146(1)c., new dwelling units are prohibited in ~~the that part of the~~ Lake Auburn Watershed Overlay District which overlies the Agriculture and Resource Protection Zone. Pursuant to 30-A M.R.S.A. §§ 4364(9), 4364-A(1-A), and 4364-B(1-A), each as may be amended from time to time, the affordable housing density, residential density and accessory dwelling unit provisions of P.L. 2021, ch. 672, "An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions" and any related state regulations do not apply in the Lake Auburn Watershed Overlay District.
- (fb) Private subsurface wastewater disposal systems. Each new building, or any existing building for which there is any addition, alteration, or change of use, each new dwelling unit, or any existing dwelling unit for which there is an addition or alteration thereto that includes the addition of one or more bedrooms, in the Lake Auburn Watershed Overlay District, not served by public sewer, shall, in the development of a private subsurface wastewater disposal system, adhere to the requirements of this section as well as the requirements of the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241. Notwithstanding any provision of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 the Rule shall be applied regardless of whether the addition or alteration is an initial or subsequent addition or alteration. The following regulations shall be adhered to in the development of private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District:
- (1) Disposal fields are prohibited on sites with less than 12 inches to the limiting soil horizon. In addition to having at least 12 inches to the limiting soil horizon, disposal fields shall have at least 24 inches of suitable natural soil or soil filler media below the bottom of the disposal field, such that there is at least a 36-inch separation between the bottom of the disposal field and the limiting soil horizon. The local plumbing inspector shall require that a state licensed site evaluator affirm that these design ~~criteria~~ requirements are met before the ~~LPI~~ local plumbing inspector finds the design or installation of the system to comply with this section.
 - (2) ~~No new (first use), expanded, or replacement~~ disposal fields shall be ~~set back from~~ installed closer than 400 feet to the normal high-water mark of any lake, pond, ~~or year-round or intermittent stream~~ stream, or brook (as depicted on a 7.5 minute series USGS topographic map, dated 1981). Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream. as follows:
 - a. ~~Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.~~
 - a. Where the daily wastewater flow is, or is reasonably likely to be, 2,000 gallons or less, the system shall be set back at least 400 feet from the normal high-water mark of any lake, pond, stream, or brook.
 - b. Where the daily wastewater flow is, or is reasonably likely to be, in excess of 2,000 gallons, the system shall be set back at least 1,000 feet from the normal high-water mark of any lake, pond, stream, or brook.

~~(3) All disposal fields, replacement or new, shall meet the design criteria set forth in subsection (f)(1) above, except that if a replacement system disposal field cannot meet the design criteria set forth in subsection (f)(1) above, the local plumbing inspector must, in consultation with and the concurrence of the Auburn Water District, or its designee, evaluate the design and then require the disposal field to meet as much of the design criteria as is physically possible under the site-specific circumstances.~~

(43) All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new,~~ shall include one of the two following design elements. The selection of which design element is most appropriate shall be determined by a state licensed site evaluator based upon the evaluation of the groundwater conditions, soils, and slopes present at the site where the system is to be installed either have:

- a. ~~A-c~~ Curtain drain installed per Section 1112(H) of the Maine Subsurface Wastewater Disposal Rules, 10-144 C.M.R. ch. 241 (20152023), as may be amended from time to time; or
- b. ~~A-d~~ Diversion ditch, upslope of the disposal field, installed for the disposal field's entire length (including fill extensions, and constructed so that the curtain drain or diversion ditch is located to prevent any under-drain short circuiting of the disposal field);

~~whichever installation is determined to be the most appropriate based on the evaluation of groundwater conditions on the site by a state licensed site evaluator.~~

~~The local plumbing inspector shall require that a state licensed site evaluator affirm that one of these two types of installation is part of the design of the system before the LPI finds the design or installation of the system to comply with this section.~~

(54) All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new,~~ shall be installed on the same lot as the building or dwelling unit being served by the system, unless the system can be developed outside of the Lake Auburn Watershed Overlay District or, in the case of an expanded or replacement system, the property owner can demonstrate to the local plumbing inspector that it is physically impossible for the replacement system to be located on the same lot, in which case the local plumbing inspector may approve all or a portion of the expanded or replacement system's location on adjacent lots if the property owner holds a perpetual easement from the adjacent lot owner allowing the installation and maintenance of the system.

(56) Commencing July 1, 2024, ~~LAWPC or its designee shall have the right to inspect all private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District every five years and/or at the time that a property sold, whichever time frame is deemed most appropriate by LAWPC or its designee. the owner of each building or dwelling unit in the Lake Auburn Watershed Overlay District, not served by public sewer, shall have their private subsurface wastewater disposal system inspected to ensure continuing compliance with this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241.~~

a. Inspections. An initial inspection shall be completed by the completion date specified in the Lake Auburn Watershed Overlay District Septic Systems Inspection Map, dated March 19, 2024, which is on file in the office of the city planning, permitting and code department.

Subsequent inspections shall be completed within five years of the initial inspection and every subsequent inspection, unless the property is sold, in which case a subsequent inspection shall be conducted at the time of sale.

Such inspections shall be completed by a certified subsurface wastewater disposal system inspector.

Such inspector shall inspect the private subsurface wastewater disposal system using the minimum requirements established by the Maine Department of Health and Human Services, Division of

Environmental and Community Health for evaluating and reporting on existing subsurface wastewater disposal systems.

b. *City record keeping and notifications.* The city planning, permitting and code department shall maintain, within the city GIS system, a record of each subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District that requires inspection. The record must include, at a minimum, the city parcel identifier, date the next inspection is due, and date of the last inspection.

The city planning, permitting and code department shall provide the owner of each building or dwelling unit written notices by regular mail, to the address shown on the city property tax records, of the date by which the inspection of the subsurface wastewater disposal system must be completed. The first notice shall be mailed 12 months prior to each required completion date and the second notice six months prior to each required completion date.

c. *Reporting and reviewing of results of inspections.* Reporting shall be made utilizing the latest version of the HHE-240 reporting form, for initial inspections, and the Supplement HHE-240 reporting form, for subsequent inspections, as published by the Maine Department of Health and Human Services, Division of Environmental and Community Health. Such reports shall be submitted to the local plumbing inspector.

The local plumbing inspector shall review the report and determine if corrective action is required to ensure that;

1. for subsurface wastewater disposal systems for which a design is on file with the planning, permitting and code department, the system is functioning per the design on file,
2. for subsurface wastewater disposal systems for which there is no design on file with the planning, permitting and code department, the system is functioning as built.

d. *Alternative design for replacement subsurface wastewater disposal systems.* For buildings or dwelling units that exist in the Lake Auburn Watershed Overlay District as of July 1, 2024, should the local plumbing inspector determine, upon review of the report from the subsurface wastewater disposal system inspector, through personal observation, or through independent means, that the subsurface wastewater disposal system is not functioning as designed or built and a replacement system is required, and:

1. a state licensed site evaluator informs the local plumbing inspector that the parcel on which the building or dwelling unit is situated is not suitable to site a replacement subsurface wastewater disposal system that meets the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241; and
2. the local plumbing inspector determines that the replacement subsurface wastewater disposal system cannot be sited pursuant to Subsection 4;

then a state licensed site evaluator may propose, and the local plumbing inspector may approve, after consultation with the Lake Auburn Water Protection Commission, an alternative subsurface wastewater design that does not meet the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 but which meets as many of the requirements as possible, and for those requirements that cannot be met, includes design elements that maximize the efficacy of the treatment of the wastewater.

- (76) ~~The Auburn Water District~~ In coordination with the local plumbing inspector, LAWPC, or its designee, shall have the right to inspect any subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District during its construction and operation and may notify the City of Auburn health officer, police chief, local plumbing inspector or ~~housing inspector~~ code enforcement officer of

any observed defects or malfunction that require abatement-corrective action by the property owner or operator.

- (87) The local plumbing inspector shall furnish a copy of all site evaluation and inspection reports in the Lake Auburn Watershed Overlay District to ~~the Auburn Water District or its designee~~ LAWPC.

- 8) Commencing on July 1, 2024, a maximum of three new dwelling units per calendar year are permitted in that part of the Lake Auburn Watershed Overlay District in which new dwelling units are permitted.

The city planning, permitting, and code department shall, on an annual basis, provide a report to the Planning Board as to the extent and effect of the construction of new dwelling units in the Lake Auburn Watershed Overlay District. The report shall include, at a minimum, the number of new dwelling units constructed in the past year, the cumulative number of new dwelling units constructed since July 1, 2024, and the effect of such construction on the Lake Auburn water quality.

Should the Planning Board conclude, based on the city planning, permitting and code department report that the construction of new dwelling units has had an adverse effect on the Lake Auburn water quality, the Planning Board shall consider what action is to be taken to prevent further degradation of Lake Auburn water quality from the construction of new dwelling units.

2. Agricultural, Forestry, and Erosion Control.

- (a) *Agricultural uses.* Non-hobby agricultural uses not in existence as of January 1, 2024 are prohibited, and expansions of non-hobby agricultural uses in existence as of December 31, 2023 are prohibited. As of January 1, 2024, new hobby agricultural uses or expansions of hobby agricultural uses in existence as of December 31, 2023 are only allowed if:
- (1) The owner or operator first demonstrates to LAWPC's watershed manager that such use or expansion will not cause groundwater contamination and will not contaminate or disturb the normal course of surface water runoff; and
 - (2) LAWPC's watershed manager approves such use or expansion in writing and so notifies the code enforcement officer.
- (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries (as depicted on a 7.5 minute series USGS topographic map, dated 1981) is tilled for agricultural purposes, an untilled buffer strip 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.
- (d) *Manure and sludge disposal.* Spreading and disposal of sludge is prohibited. All spreading and disposal of manure shall be accomplished in conformance with the then-current edition of the Maine Department of Agriculture, Conservation and Forestry's rules, regulations and guidelines for manure spreading and disposal.
- (e) *Erosion control.* The following provisions shall be observed for the control of erosion in the Lake Auburn Watershed:
- (1) Any earth cutting, moving or removal activities that will result in erosion or runoff which is likely to increase sedimentation of Lake Auburn, or any tributaries or other water bodies in the watershed are prohibited.
 - (2) Vegetative cover shall not be removed except in a manner which will minimize erosion. Harvesting of trees shall be permitted only after a plan prepared by a qualified forester is submitted to and approved by the Auburn Water District. Such plan will be approved or disapproved on the basis of its conformance with good watershed management practice for domestic water supplies.

-
- (3) Trees may be cleared, provided the cleared areas are covered with other vegetation, for approved construction and landscaping. Where such clearing is extended to the shoreline, a cleared opening or openings not greater than 30 feet in width for every 100 feet of shoreline (measured along the high-water mark) may be created in the strip extending 50 feet inland from the normal high-water mark. For purposes of this section, clearing is the removal of adjacent dominant trees which extend into the canopy and shrubs within ten feet of the shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation which is equally effective in retarding erosion and preserving natural beauty. When the vegetative cover is changed in areas greater than three acres, a plan shall be filed with the Auburn Water District indicating the changes so that a record can be maintained of watershed water yields to the system.

3. Enforcement

The city planning, permitting and code department shall have authority to enforce all requirements of this Division in accordance with section 60-1403.

(Ord. of 9-21-2009, § 5.3C; Ord. No. 19-12022019, 12-9-2019; Ord. No. 10-06202023, 7-10-2023; Ord. No. 28-11202023, 12-4-2023)

Sec. 60-953. Dimensional regulations; building setbacks.

All Any new or expanded buildings and-or structures, except those requiring direct access to the water as an operational necessity, shall be constructed not less than 75-100 feet inland from the normal high-water mark of Lake Auburn. Operational necessity shall include private docks, but shall not include boathouses, storage sheds, garages, or other structures. Marinas and boat rental facilities shall not be permitted within 75-100 feet of the normal high-water mark of Lake Auburn.

(Ord. of 9-21-2009, § 5.3D)

Sec. 60-954. Conflicts.

In any case in which a provision of this section conflicts with a provision of any other section of this chapter, the provision which establishes the more stringent standard shall apply.

(Ord. of 9-21-2009, § 5.3E)

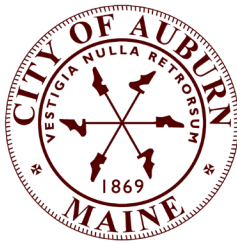
Secs. 60-955—60-981. Reserved.

Per-Acre Phosphorus Allocations for Selected Lakes

[illegible]

Per-Acre Phosphorus Allocations for Selected Lakes

[illegible]



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XII. ENVIRONMENTAL REGULATIONS

• • •

DIVISION 4. LAKE AUBURN WATERSHED OVERLAY DISTRICT

• • •

Sec. 60-951. Boundaries and definitions.

(a) *Boundaries.* The Lake Auburn Watershed Overlay District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the Auburn Water District on file in the office of the Auburn Water District, the city ~~planning, permitting and code department~~~~department of planning and permitting services~~ and the city clerk. The Lake Auburn Watershed Overlay District shall be superimposed over underlying zoning districts within ~~such section the city~~. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed Overlay District.

(b) *Definitions.* For purposes of this division, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned.

Building has the same meaning as in section 60-2.

Curtain drain means a ~~franch-trench~~ to intercept laterally moving ground water and divert it away from a septic system disposal field.

Dwelling Unit has the same meaning as in section 60-2.

Hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where:

- (1) The products produced through such use of the land is for personal consumption, pleasure or sustenance by those occupying the land and does not involve the sale of the products produced through such use of the land for profit; and
- (2) The allowances set forth in section 60-2 regarding "farm, livestock" of this chapter and the allowances set forth in article VII, division 4 of chapter 8 of this Code are not exceeded.

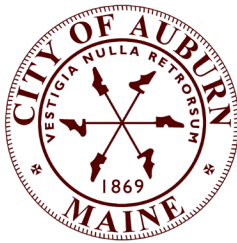
Lake Auburn Watershed Protection Commission or *LAWPC* means the commission formed through an interlocal cooperation agreement between and among the Auburn Water District, City of Lewiston, and the Town of Turner, consisting of three commissioners appointed by the Auburn Water District, three commissioners appointed by the City of Lewiston, one commissioner appointed by the Town of Turner, one commissioner appointed by the Towns of Hebron, Minot and Buckfield, and one commissioner appointed by the Androscoggin Valley Council of Governments.

Local plumbing inspector means a plumbing inspector or alternate plumbing inspector as defined in Section 12-22.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

Non-hobby agricultural use means uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes where the products produced through such use of the land are sold for profit.

Normal high-water line and Normal high-water mark means that line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land.

Soil horizon means a layer within a soil profile differing from the soil above or below it in one or more soil morphological characteristics. The characteristics of the layer include the color, texture, rock-fragment content, and ~~consistence~~consistency of each parent soil material.

Soil horizon, limiting or limiting soil horizon means any soil horizon or combination of soil horizons, within the soil profile or any parent material below the soil profile, that limits the ability of the soil to provide treatment or disposal of septic tank effluent. Limiting horizons include bedrock, hydraulically restrictive soil horizons and parent material excessively coarse soil horizons and parent material, and the seasonal groundwater table. Any of these limiting horizons may from time to time be ~~Also sometimes~~ referred to as a "limiting factor."

Soil profile means a vertical cross section of the undisturbed soil showing the characteristic soil horizontal layers or soil horizons that have formed as a result of the combined effects of parent material, topography, climate, biological activity, and time.

Soil filter media means a soil mixture that consists of a loamy sand lower fill layer meeting the following lower fill layer specifications, plus a minimum of six inches of upper fill layer meeting the following upper fill layer specifications.

Soil Filter Media Specifications

Upper fill layer	
Sieve #	% passing by weight
No. 4	75—95
No. 10	60—90
No. 40	35—85
No. 200	20—40
200 (clay size)	< 2.0

Lower fill layer	
Sieve #	% passing by weight
No. 10	85—100
No. 20	70—100
No. 60	15—400
No. 200	6—8
200 (clay size)	< 2.0

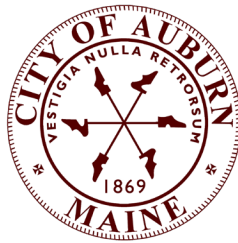
State licensed site evaluator means a person licensed by the Maine Department of Health and Human Services to evaluate soils for the purpose of designing subsurface wastewater disposal systems.

Stream or Brook means a channel between defined banks as depicted as a solid or broken blue line on the most recent edition of the U.S. Geological Survey 7.5-minute series topographic map.

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City Council Ordinance

Subsurface wastewater disposal system inspector means a person who holds a current certification issued by the Maine Department of Health and Human Services, Division of Environmental and Community Health as a Subsurface Wastewater Disposal System Inspector.

(Ord. of 9-21-2009, § 5.3B; Ord. No. 28-11202023, 12-4-2023)

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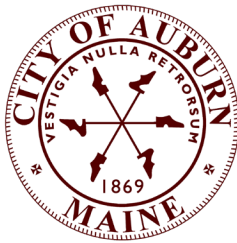
Sec. 60-952. Use and environmental regulations.

1. Subsurface Wastewater Disposal Systems.

(ba) ~~Residential-d~~ Welling units in the agriculture and resource protection zoning district. Notwithstanding the provisions of subsections 60-145(a)(1), 60-145(b)(18) and 60-146(1)c., new dwelling units are prohibited in ~~the that part of the~~ Lake Auburn Watershed Overlay District which overlies the Agriculture and Resource Protection Zone. Pursuant to 30-A M.R.S.A. §§ 4364(9), 4364-A(1-A), and 4364-B(1-A), each as may be amended from time to time, the affordable housing density, residential density and accessory dwelling unit provisions of P.L. 2021, ch. 672, "An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions" and any related state regulations do not apply in the Lake Auburn Watershed Overlay District.

(fb) ~~Private subsurface wastewater disposal systems.~~ Each new building, or any existing building for which there is any addition, alteration, or change of use, each new dwelling unit, or any existing dwelling unit for which there is an addition or alteration thereto that includes the addition of one or more bedrooms, in the Lake Auburn Watershed Overlay District, not served by public sewer, shall, in the development of a private subsurface wastewater disposal system, adhere to the requirements of this section as well as the requirements of the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241. Notwithstanding any provision of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 the Rule shall be applied regardless of whether the addition or alteration is an initial or subsequent addition or alteration. The following regulations shall be adhered to in the development of private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District:

- (1) Disposal fields are prohibited on sites with less than 12 inches to the limiting soil horizon. In addition to having at least 12 inches to the limiting soil horizon, disposal fields shall have at least 24 inches of suitable natural soil or soil filler media below the bottom of the disposal field, such that there is at least a 36-inch separation between the bottom of the disposal field and the limiting soil horizon. The local plumbing inspector shall require that a state licensed site evaluator affirm that these design ~~criteria~~ requirements are met before the ~~LP~~ local plumbing inspector finds the design or installation of the system to comply with this section.
- (2) ~~No new (first use), expanded, or replacement~~ disposal fields ~~shall be set back from installed closer than 400 feet to~~ the normal high-water mark of any lake, pond, ~~or year-round or intermittent stream, stream, or brook~~ (as depicted on a 7.5 minute series USGS topographic map, dated 1981). Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream. ~~as follows:~~
 - a. ~~Where the daily wastewater flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or year-round or intermittent stream.~~
 - a. Where the daily wastewater flow is, or is reasonably likely to be, 2,000 gallons or less, the system shall be set back at least 400 feet from the normal high-water mark of any lake, pond, stream, or brook.



City Council Ordinance

b. Where the daily wastewater flow is, or is reasonably likely to be, in excess of 2,000 gallons, the system shall be set back at least 1,000 feet from the normal high-water mark of any lake, pond, stream, or brook.

~~(3)~~ All disposal fields, replacement or new, shall meet the design criteria set forth in subsection (f)(1) above, except that if a replacement system disposal field cannot meet the design criteria set forth in subsection (f)(1) above, the local plumbing inspector must, in consultation with and the concurrence of the Auburn Water District, or its designee, evaluate the design and then require the disposal field to meet as much of the design criteria as is physically possible under the site-specific circumstances.

~~(43)~~ All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new;~~ shall include one of the two following design elements. The selection of which design element is most appropriate shall be determined by a state licensed site evaluator based upon the evaluation of the groundwater conditions, soils, and slopes present at the site where the system is to be installed. either have:

a. ~~A~~Curtain drain installed per Section ~~1112~~ (H) of the Maine Subsurface Wastewater Disposal Rules, 10-144 C.M.R. ch. 241 (~~2015~~2023), as may be amended from time to time; or

b. ~~A~~Diversion ditch, upslope of the disposal field, installed for the disposal field's entire length ~~(including fill extensions, and constructed so that the curtain drain or diversion ditch is located to prevent any under-drain short circuiting of the disposal field);~~

~~whichever installation is determined to be the most appropriate based on the evaluation of groundwater conditions on the site by a state licensed site evaluator.~~

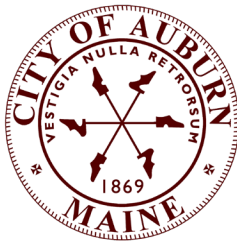
~~The local plumbing inspector shall require that a state licensed site evaluator affirm that one of these two types of installation is part of the design of the system before the LPI finds the design or installation of the system to comply with this section.~~

~~(54)~~ All new (first use), expanded, or replacement private subsurface wastewater disposal systems; ~~replacement or new;~~ shall be installed on the same lot as the building or dwelling unit being served by the system, unless the system can be developed outside of the Lake Auburn Watershed Overlay District or, in the case of an expanded or replacement system, the property owner can demonstrate to the local plumbing inspector that it is physically impossible for the replacement system to be located on the same lot, in which case the local plumbing inspector may approve all or a portion of the expanded or replacement system's location on adjacent lots if the property owner holds a perpetual easement from the adjacent lot owner allowing the installation and maintenance of the system.

~~(56)~~ Commencing July 1, 2024, ~~LAWPC or its designee shall have the right to inspect all private subsurface wastewater disposal systems in the Lake Auburn Watershed Overlay District every five years and/or at the time that a property sold, whichever time frame is deemed most appropriate by LAWPC or its designee.~~ the owner of each building or dwelling unit in the Lake Auburn Watershed Overlay District, not served by public sewer, shall have their private subsurface wastewater disposal system inspected to ensure continuing compliance with this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241.

a. Inspections. An initial inspection shall be completed by the completion date specified in the Lake Auburn Watershed Overlay District Septic Systems Inspection Map, dated March 19, 2024, which is on file in the office of the city planning, permitting and code department.

Subsequent inspections shall be completed within five years of the initial inspection and every subsequent inspection, unless the property is sold, in which case a subsequent inspection shall be conducted at the time of sale.



City Council Ordinance

Such inspections shall be completed by a certified subsurface wastewater disposal system inspector. Such inspector shall inspect the private subsurface wastewater disposal system using the minimum requirements established by the Maine Department of Health and Human Services, Division of Environmental and Community Health for evaluating and reporting on existing subsurface wastewater disposal systems.

b. *City record keeping and notifications.* The city planning, permitting and code department shall maintain, within the city GIS system, a record of each subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District that requires inspection. The record must include, at a minimum, the city parcel identifier, date the next inspection is due, and date of the last inspection. The city planning, permitting and code department shall provide the owner of each building or dwelling unit written notices by regular mail, to the address shown on the city property tax records, of the date by which the inspection of the subsurface wastewater disposal system must be completed. The first notice shall be mailed 12 months prior to each required completion date and the second notice six months prior to each required completion date.

c. *Reporting and reviewing of results of inspections.* Reporting shall be made utilizing the latest version of the HHE-240 reporting form, for initial inspections, and the Supplement HHE-240 reporting form, for subsequent inspections, as published by the Maine Department of Health and Human Services, Division of Environmental and Community Health. Such reports shall be submitted to the local plumbing inspector.

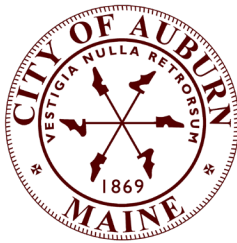
The local plumbing inspector shall review the report and determine if corrective action is required to ensure that;

1. for subsurface wastewater disposal systems for which a design is on file with the planning, permitting and code department, the system is functioning per the design on file,
2. for subsurface wastewater disposal systems for which there is no design on file with the planning, permitting and code department, the system is functioning as built.

d. *Alternative design for replacement subsurface wastewater disposal systems.* For buildings or dwelling units that exist in the Lake Auburn Watershed Overlay District as of July 1, 2024, should the local plumbing inspector determine, upon review of the report from the subsurface wastewater disposal system inspector, through personal observation, or through independent means, that the subsurface wastewater disposal system is not functioning as designed or built and a replacement system is required, and:

1. a state licensed site evaluator informs the local plumbing inspector that the parcel on which the building or dwelling unit is situated is not suitable to site a replacement subsurface wastewater disposal system that meets the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241; and
2. the local plumbing inspector determines that the replacement subsurface wastewater disposal system cannot be sited pursuant to Subsection 4;

then a state licensed site evaluator may propose, and the local plumbing inspector may approve, after consultation with the Lake Auburn Water Protection Commission, an alternative subsurface wastewater design that does not meet the requirements of this section and the latest version of the Maine Subsurface Wastewater Disposal Rule, 10-144 C.M.R. ch. 241 but which meets as many of the requirements as possible, and for those requirements that cannot be met, includes design elements that maximize the efficacy of the treatment of the wastewater.

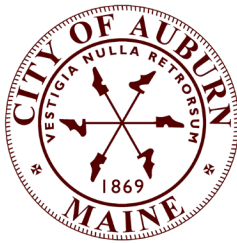


City Council Ordinance

- (76) ~~The Auburn Water District~~In coordination with the local plumbing inspector, LAWPC, or its designee, shall have the right to inspect any subsurface wastewater disposal system within the Lake Auburn Watershed Overlay District during its construction and operation and may notify the City of Auburn health officer, police chief, local plumbing inspector or ~~housing inspector~~code enforcement officer of any observed defects or malfunction that require ~~abatement~~corrective action by the property owner or operator.
- (87) The local plumbing inspector shall furnish a copy of all site evaluation and inspection reports in the Lake Auburn Watershed Overlay District to ~~the Auburn Water District or its designee~~LAWPC.
- 8) Commencing on July 1, 2024, a maximum of three new dwelling units per calendar year are permitted in that part of the Lake Auburn Watershed Overlay District in which new dwelling units are permitted. The city planning, permitting, and code department shall, on an annual basis, provide a report to the Planning Board as to the extent and effect of the construction of new dwelling units in the Lake Auburn Watershed Overlay District. The report shall include, at a minimum, the number of new dwelling units constructed in the past year, the cumulative number of new dwelling units constructed since July 1, 2024, and the effect of such construction on the Lake Auburn water quality. Should the Planning Board conclude, based on the city planning, permitting and code department report that the construction of new dwelling units has had an adverse effect on the Lake Auburn water quality, the Planning Board shall consider what action is to be taken to prevent further degradation of Lake Auburn water quality from the construction of new dwelling units.

2. Agricultural, Forestry, and Erosion Control.

- (a) *Agricultural uses.* Non-hobby agricultural uses not in existence as of January 1, 2024 are prohibited, and expansions of non-hobby agricultural uses in existence as of December 31, 2023 are prohibited. As of January 1, 2024, new hobby agricultural uses or expansions of hobby agricultural uses in existence as of December 31, 2023 are only allowed if:
- (1) The owner or operator first demonstrates to LAWPC's watershed manager that such use or expansion will not cause groundwater contamination and will not contaminate or disturb the normal course of surface water runoff; and
 - (2) LAWPC's watershed manager approves such use or expansion in writing and so notifies the code enforcement officer.
- (c) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries (as depicted on a 7.5 minute series USGS topographic map, dated 1981) is tilled for agricultural purposes, an untilled buffer strip 100 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (c) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.
- (d) *Manure and sludge disposal.* Spreading and disposal of sludge is prohibited. All spreading and disposal of manure shall be accomplished in conformance with the then-current edition of the Maine Department of Agriculture, Conservation and Forestry's rules, regulations and guidelines for manure spreading and disposal.
- (e) *Erosion control.* The following provisions shall be observed for the control of erosion in the Lake Auburn Watershed:
- (1) Any earth cutting, moving or removal activities that will result in erosion or runoff which is likely to increase sedimentation of Lake Auburn, or any tributaries or other water bodies in the watershed are prohibited.
 - (2) Vegetative cover shall not be removed except in a manner which will minimize erosion. Harvesting of trees shall be permitted only after a plan prepared by a qualified forester is submitted to and approved



City Council Ordinance

- by the Auburn Water District. Such plan will be approved or disapproved on the basis of its conformance with good watershed management practice for domestic water supplies.
- (3) Trees may be cleared, provided the cleared areas are covered with other vegetation, for approved construction and landscaping. Where such clearing is extended to the shoreline, a cleared opening or openings not greater than 30 feet in width for every 100 feet of shoreline (measured along the high-water mark) may be created in the strip extending 50 feet inland from the normal high-water mark. For purposes of this section, clearing is the removal of adjacent dominant trees which extend into the canopy and shrubs within ten feet of the shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation which is equally effective in retarding erosion and preserving natural beauty. When the vegetative cover is changed in areas greater than three acres, a plan shall be filed with the Auburn Water District indicating the changes so that a record can be maintained of watershed water yields to the system.

3. Enforcement

The city planning, permitting and code department shall have authority to enforce all requirements of this Division in accordance with section 60-1403.

(Ord. of 9-21-2009, § 5.3C; Ord. No. 19-12022019, 12-9-2019; Ord. No. 10-06202023, 7-10-2023; Ord. No. 28-11202023, 12-4-2023)

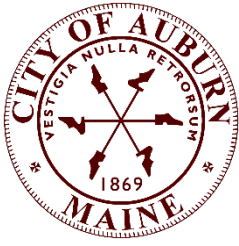
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Sec. 60-953. Dimensional regulations; building setbacks.

~~All~~ Any new or expanded buildings ~~and or~~ structures, except those requiring direct access to the water as an operational necessity, shall be constructed not less than ~~75~~ 100 feet inland from the normal high-water mark ~~of Lake Auburn~~. Operational necessity shall include private docks, but shall not include boathouses, storage sheds, garages, or other structures. Marinas and boat rental facilities shall not be permitted within ~~75~~ 100 feet of the normal high-water mark of Lake Auburn.

(Ord. of 9-21-2009, § 5.3D)

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**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance: 14-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: First Reading of a Zoning Map Amendment regarding a Subsurface Wastewater System Inspection Map in the Lake Auburn Watershed Overlay District as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024.

Information: This item proposes adopting a map which lays out a timeline for a new septic system inspection program referenced in the amendments to Division 4 Lake Auburn Watershed Overlay District. Staff recommends this map amendment. This map will serve as a guide for the city to plan inspections in a timely way according to their proximity and risk to Lake Auburn.

The planning board recommended two minor amendments in the motion to forward a favorable recommendation to city council to adopt the Lake Auburn Watershed Overlay District Septic Inspection Map. The recommended amendments included 1.) to remove the dots from the map as they don't provide specific information relative to the actual areas that are being tested and the focus should be on the zones/color-coded areas, 2.) Update the dates on the map to reference year 1 through year 5 and eliminate actual dates.

City Budgetary Impacts: Staff Time

Staff Recommended Action: Staff recommends that the Council to hold first reading and vote on the Septic Inspection Map Amendment. Second Reading and Public Hearing will be on July 15, 2024.

Previous Meetings and History: Recommendations originate from approximately ten stakeholder meetings from February through May. The Planning Board held a workshop on this text amendment on May 14, and made a positive recommendation on June 18.

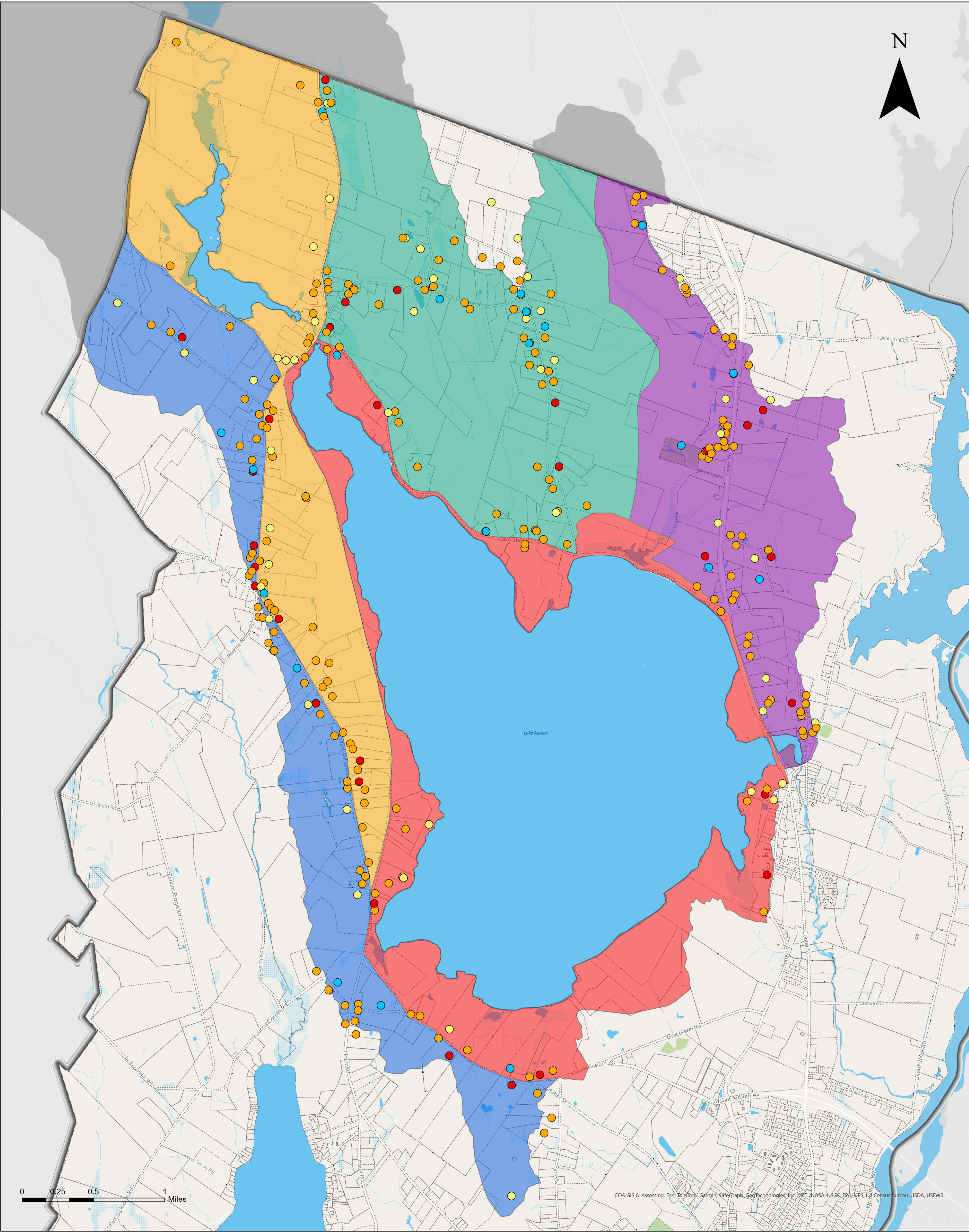
City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Ordinance, Division 4- Lake Auburn Watershed Overlay District Septic Inspection Map, June 18 Planning Board Motion, Staff Report, Cost estimation sheet

Lake Auburn Watershed Overlay District Septic Systems Inspection Map



- Septic Site GPS Coordinates
- Septic Site Approximate location from sketch
- Septic Site Generalized location on lot
- Other Septic Site Locations
- Area 1: July 1, 2024 to June 30, 2025
- Area 2: July 1, 2025 to June 30, 2026
- Area 3: July 1, 2026 to June 30, 2027
- Area 4: July 1, 2027 to June 30, 2028
- Area 5: July 1, 2028 to June 30, 2029
- Remaining Area





City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director of Planning & Permitting
Re: Item #6 Map Amendment Related to Lake Auburn Stakeholders Group
Date: May 14, 2024

I. PROPOSAL: The Planning Board is to review Septic System Inspection Map in relation to Lake Auburn Watershed Overlay District as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024. (See attached map)

II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

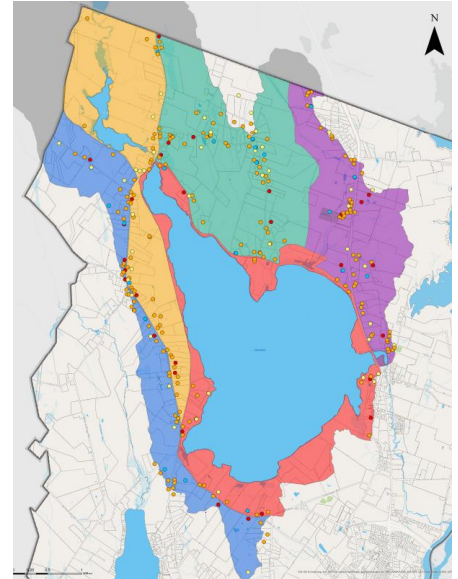
III. SUGGESTED FINDINGS OF FACT:

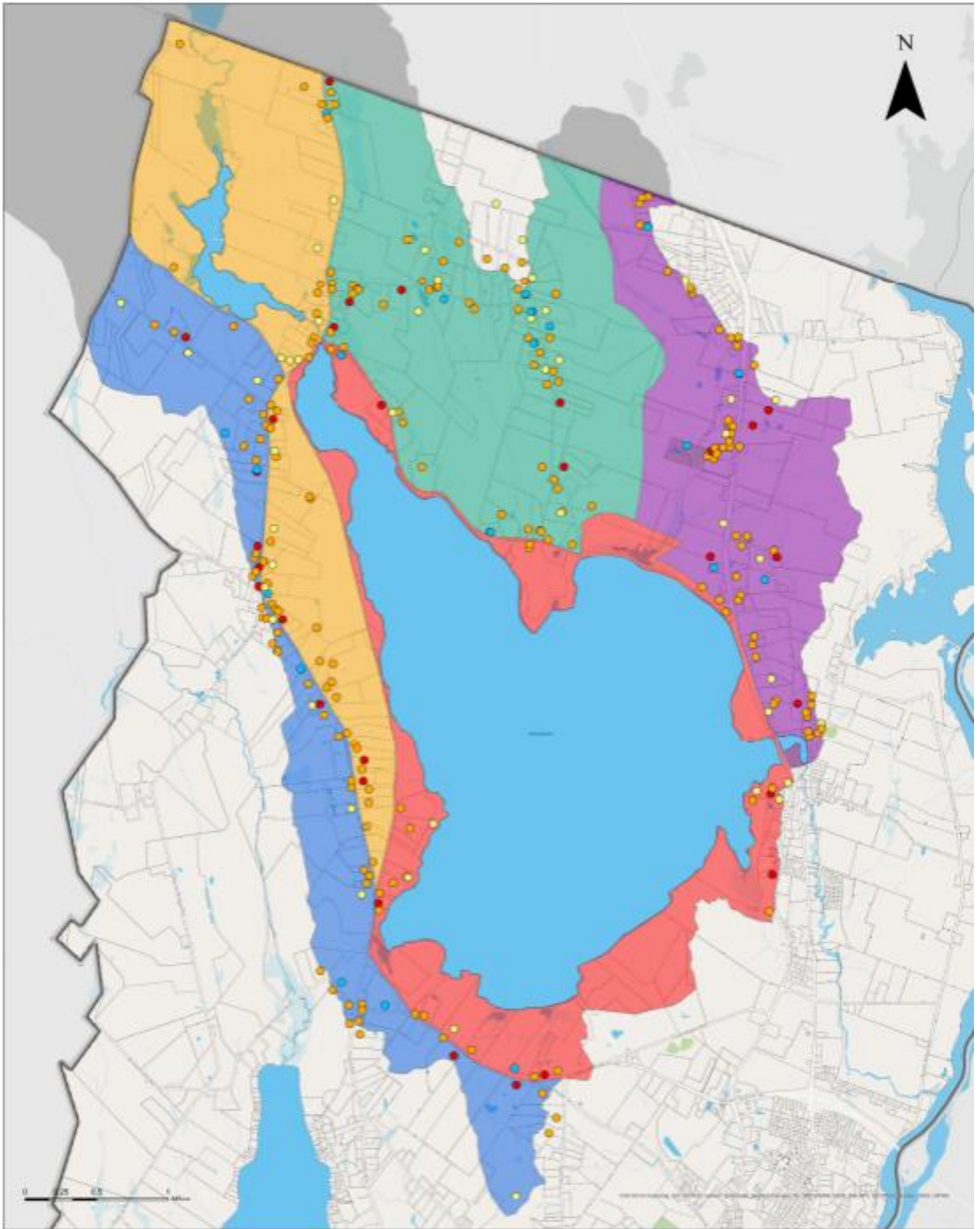
1. The amendments are consistent with the growth pattern specified in the Future Land Use Plan in Auburn's Comprehensive Plan.
2. The proposed map and text amendments serve Goal A.1 in the Comprehensive Plan to maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid or delay the need for costly treatment (pages 4-9)
3. These proposed amendments are in service of Goal B.1 in the Comprehensive plan, to ensure sufficient clean water supplies to meet current and future needs (pages 20-21).
4. These amendments align with the Lake Auburn Study, 2021; and the report by FB Environmental: Lake Auburn Memo from August 2022.
5. These amendments are the result of several public meetings with the Lake Auburn Stakeholders Group as ordered by City Council.

IV. PLANNING BOARD ACTION/STAFF RECOMMENDATIONS:

E.) Lake Auburn Watershed Overlay District Septic Systems Inspection Map: This item proposes adopting a map which lays out a timeline for a new septic system inspection program referenced in the amendments to Division 4 Lake Auburn Watershed Overlay District. Staff recommends this map amendment. This map will serve as a guide for the city to plan inspections in a timely way according to their proximity and risk to Lake Auburn.

POTENTIAL MOTION: I make a motion to forward a favorable recommendation to City Council to adopt the Lake Auburn Watershed Overlay District Septic Systems Inspection Map in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.







City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/24/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Lake Auburn Watershed Map Amendment (Septic System Inspection Program)

The following is the report from the Planning Board regarding adopting the Septic System Inspection map. After notice and Public Hearings held on June 18th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ MAP AMENDMENT: Consider adopting the Lake Auburn Watershed Overlay District Septic Systems Inspection Map. This map will be referred to in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60, Article XVII Division 2-Amendment to the Zoning Ordinance or Zoning Map.

Summary and Discussion: John Blais clarifies that if either the house or the septic system is partly in the watershed, it would be subject to inspection. The dots on the map are only for reference. Staff recommends that this map become an interactive GIS layer for the public to reference. There is more discussion about updating records of septic systems as the inspection program rolls out. There was also discussion about the possibility of submitting a septic inspection before the deadline prescribed on the map. Staff answered that getting the inspection earlier and counting it in the inspection program will be permitted. They made the motion, made two (2) amendments to their original motion, and then voted to forward a favorable recommendation to the Council.

Motion: I make a motion to forward a favorable recommendation to city council to adopt the Lake Auburn Watershed Overlay District Septic Inspection Map in accordance with Ch. 60, Article XVII Division 2-Amendment to the Zoning Ordinance or Zoning Map **Second:** Bob Hayes seconds the motion.

Amendment 1: Dave Trask makes an amendment to update the dates on the map to reference year 1 through year 5 rather than date certain given our previous discussions **Second:** Riley Bergeron seconds the amendment. **Amendment passes 5-0-0**

Amendment 2: Dave Trask makes an amendment to remove the dots from the map as they don't provide specific information relative to the actual areas that are being tested and the focus should be on the color-coded areas. **Second:** Bob Hayes seconds.

Amendment passes 5-0-0

Final Motion: Dave Trask seeks motion for the original motion with the two (2) amendments. **Second:** Darren Finnegan Seconds.

Vote 5-0-0 motion passes.

Number of Septic Systems:

Number of Rate Payers in Auburn & Lewiston:

Number of Customers in Auburn & Lewiston

Year	Number of Inspection	Cost of Inspection
1	50	\$ 425.00
2	46	\$ 425.00
3	78	\$ 425.00
4	78	\$ 425.00
5	79	\$ 425.00

Mike Locombe

Pillar to Post

949 Sabattus Street

Lewiston, Maine

207.754.1724

\$

michael.lacombe@pillartopost.com

Stanleys Septic Tank Service

187 Norridgwock Rd.

Fairfield, ME

Inspection & Pump Tank

375.00 *\$475 includes pumping

stanleysseptic@roadrunner.com

Septic Inspection Cost Worksheet

330
18,000
39000

	Cost per Year		Cost Per Customer (Year)		Rate Payer Cost (Year)		Cost Per Quarter
\$	21,250.00	\$	0.54	\$	1.18	\$	0.30
\$	19,550.00	\$	0.50	\$	1.09	\$	0.27
\$	33,150.00	\$	0.85	\$	1.84	\$	0.46
\$	33,150.00	\$	0.85	\$	1.84	\$	0.46
\$	33,575.00	\$	0.86	\$	1.87	\$	0.47

Focused Property Inspections

W.E. Fenderson

347 Main Street. Unit 1B

Gorham, Maine

Inspection Only

Tank Pumping

207-839-6595

207.782.4265

\$ 325.00

\$ 350.00

jeffreypfi-web.com



Ordinance #14-07102024

City Council Ordinance

IN CITY COUNCIL

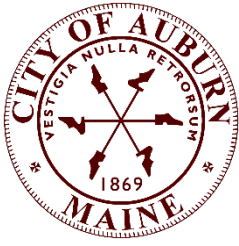
Creating the Lake Auburn Watershed Overlay District Septic Inspection Map

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to create the Lake Auburn Watershed Overlay District Septic Inspection Map. This map will be referred to in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and appears as attached.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance: 15-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: First Reading on a Zoning Map Amendment adopting the Lake Auburn Watershed Overlay District 400-foot setback to Lake, Stream & Brook, for Subsurface Wastewater Fields Map as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024.

Information: This item proposes codifying a visual to show the proposed 400-foot buffers from the high-water mark of any lake, pond, stream or brook as identified on the USGS 7.5 minute series map. Staff recommends this map amendment. This map will serve as a reference to property owners and for city staff to ensure that new subsurface wastewater disposal systems are located a safe distance away from tributaries which feed Lake Auburn. The language requiring septic systems be at least 400 feet away from a tributary of Lake Auburn was already passed in the previous text amendment and the map is a visual representation of the text.

The planning board voted to forward a favorable recommendation to city council to adopt the Lake Auburn Watershed Overlay District 400 feet setback to Lake, Stream, and Brook for Subsurface Wastewater Fields, attached in this meeting's materials.

City Budgetary Impacts: Staff Time

Staff Recommended Action: Staff recommends that the City Council hold a first reading and vote on this item. Second Reading and Public Hearing will be held on July 15, 2024.

Previous Meetings and History: Recommendations originate from approximately ten stakeholder meetings from February through May. The Planning Board made a favorable recommendation on June 18.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Division 4- Lake Auburn Watershed Overlay District 400 feet setback to Lake, Stream, and Brook for Subsurface Wastewater Fields, June 18 Planning Board Motion, Ordinance



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/24/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on Lake Auburn Watershed Map Amendment (400 Foot Resource Setback)

The following is the report from the Planning Board regarding adopting the Septic System Resource Setback Map for new, expanded, and replacement septic systems. After notice and Public Hearings held on June 18th, 2024, the Planning Board forwards this report to the City Council.

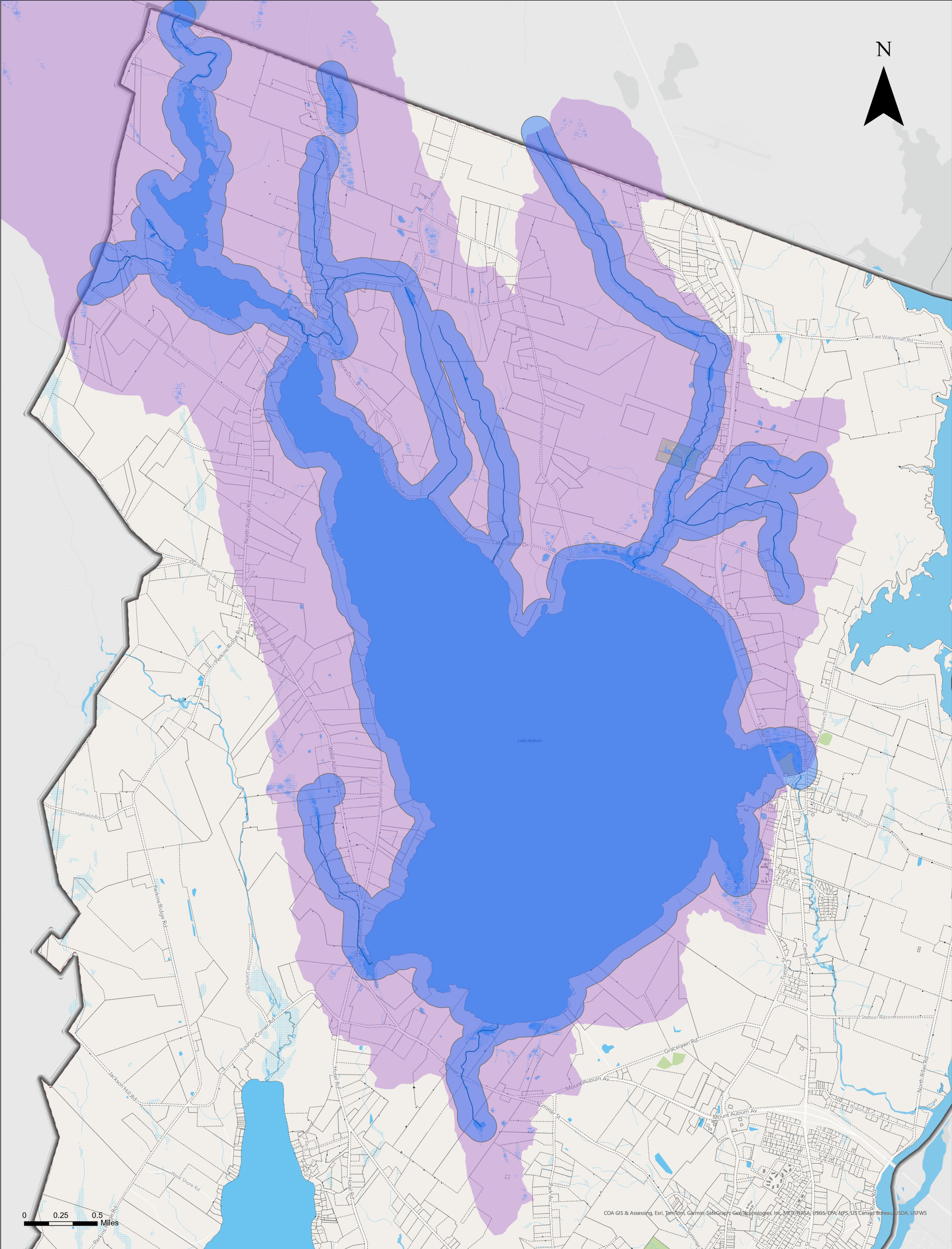
PUBLIC HEARING/ MAP AMENDMENT: Consider adopting the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map. This map will be referenced in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Summary and Discussion: Discussion about whether this amendment means that ADUs or home expansions cannot be added if they require a new or expanded septic system within one of the mapped buffer areas. Staff confirms, but also points out that this language requiring septic systems be at least 400 feet away from a tributary of Lake Auburn was already passed in the previous text amendment and the map is a visual representation of the text. They made a favorable recommendation to the Official Lake Auburn Overlay District 400' setback to Lake, Stream and Brook for Subsurface Wastewater Fields Map.

Motion: Darren Finnegan makes a motion to forward a favorable recommendation to city council to adopt the Official Lake Auburn Watershed Overlay District 400 feet setback to Lake, Stream & Brook, for Subsurface Wastewater Fields Map in accordance with Ch. 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map **Second:** Bob Hayes seconds the motion.

Vote: 5-0-0 motion passes.

Official Lake Auburn Overlay District 400' setback to Lake, Stream, and Brook for Subsurface Wastewater Fields



- Lake Auburn Watershed
- USGS 7.5 Minute Streams
- Lake Auburn Watershed Streams Buffer 400 ft
- Wetlands

* This Map was created on April 23, 2024 using USGS 7.5 minute lakes and streams





City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

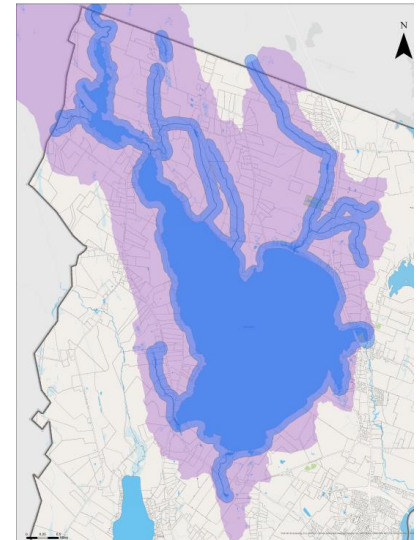
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: John Blais, Deputy Director of Planning & Permitting
Re: Item #7 Map Amendments Related to Lake Auburn Stakeholders Group
Date: June 18, 2024

I. PROPOSAL: The Planning Board is to review resource 400' setback map for septic systems to support language Article II General Provisions, Division 2, Lake Auburn Watershed Overlay District as proposed by the Lake Auburn Stakeholder Group pursuant to order 04-01022024 and order 71-05062024. (See attached map)

II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments



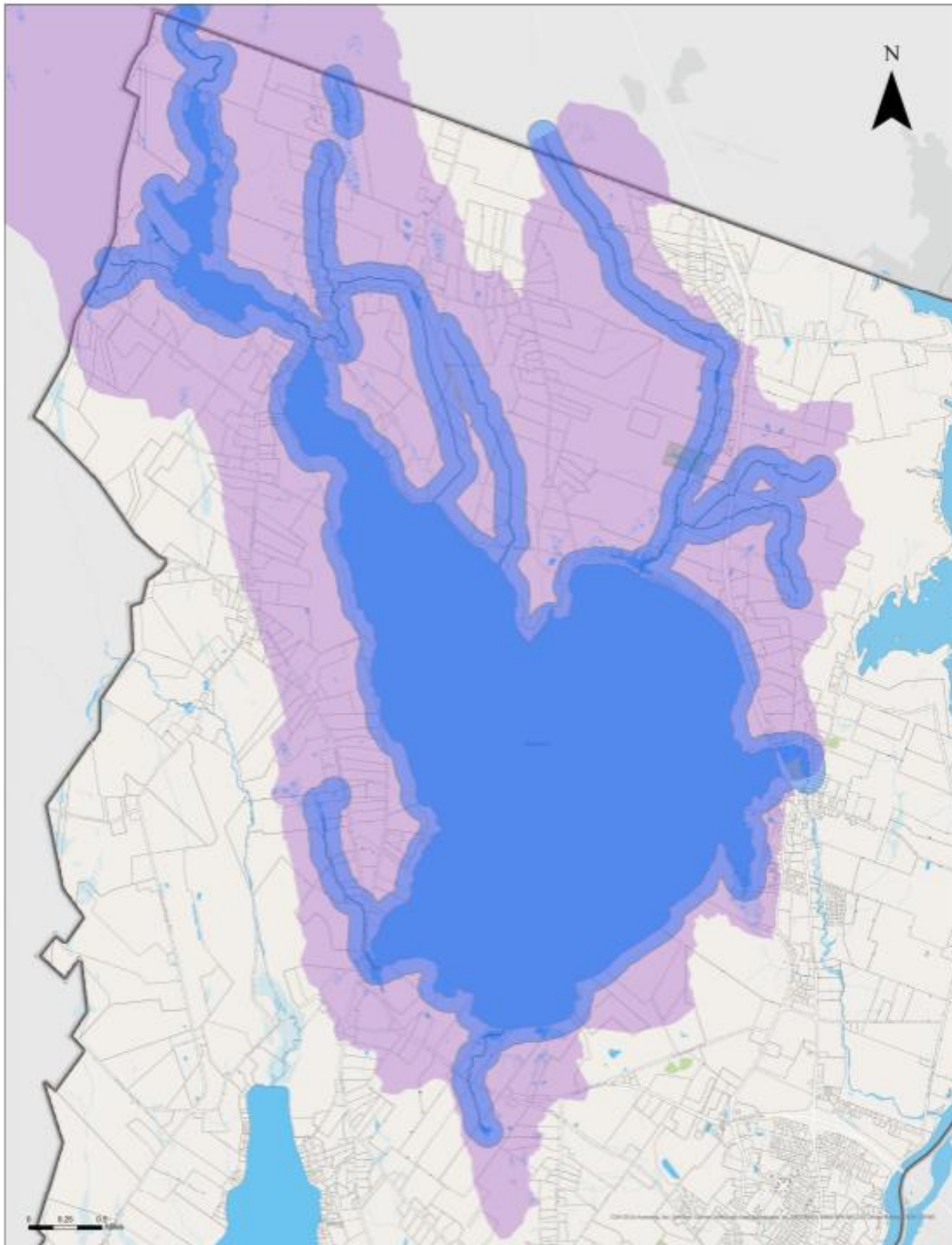
III. SUGGESTED FINDINGS OF FACT:

1. The amendments are consistent with the growth pattern specified in the Future Land Use Plan in Auburn's Comprehensive Plan.
2. The proposed map and text amendments serve Goal A.1 in the Comprehensive Plan to maintain the exceptional water quality of Lake Auburn and existing waiver from filtration to avoid or delay the need for costly treatment (pages 4-9)
3. These proposed amendments are in service of Goal B.1 in the Comprehensive plan, to ensure sufficient clean water supplies to meet current and future needs (pages 20-21).
4. These amendments align with the Lake Auburn Study, 2021; and the report by FB Environmental: Lake Auburn Memo from August 2022.
5. These amendments are the result of several public meetings with the Lake Auburn Stakeholders Group as ordered by City Council.

IV. PLANNING BOARD ACTION/STAFF RECOMMENDATIONS:

D.) Official Lake Auburn Overlay District 400-foot setback to Lake, Stream, and Brook for Subsurface Wastewater Fields: This item proposed codifying a visual to show the proposed 400-foot buffers from the high-water mark of any lake, pond, stream or brook. Staff recommends this map amendment. This map will serve as a reference to property owners and for city staff to ensure that new subsurface wastewater disposal systems are located a safe distance away from tributaries which feed Lake Auburn. This buffer is referenced in the Division 4 Lake Auburn Watershed Overlay District Text Amendment. Staff recommends adopting this resource setback map as an official zoning map.

POTENTIAL MOTION: I make a motion to forward a favorable recommendation to City Council to adopt the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map in accordance with Chapter 60 Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.





Ordinance #15-07012024

City Council Ordinance

IN CITY COUNCIL

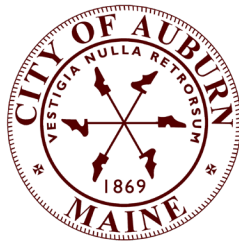
Creating the Official Lake Auburn Overlay District 400-foot Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields:

Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to create the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map in accordance with Chapter 60 Article XVII Division 2- and appears as follows:

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

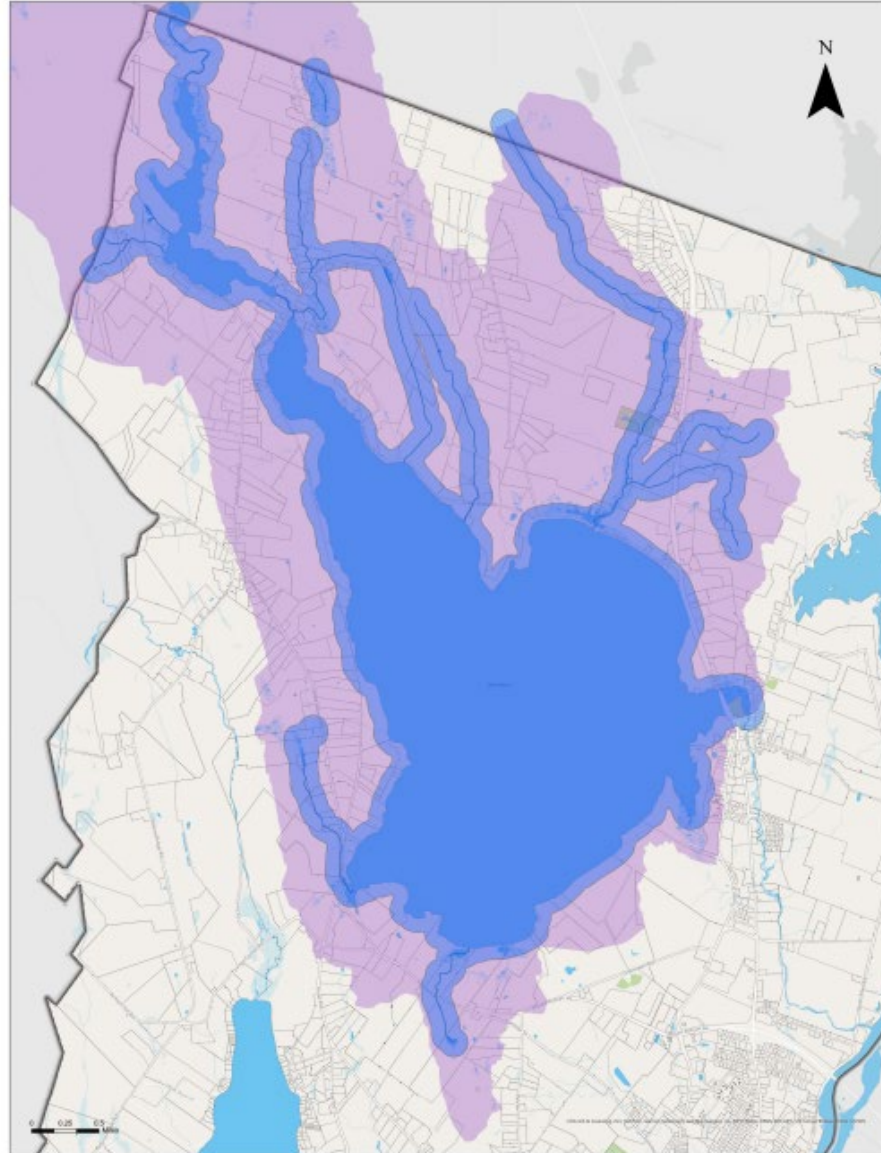
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

Official Lake Auburn Overlay District 400' setback to
Lake, Stream, and Brook for Subsurface Wastewater Fields



— Lake Auburn Watershed
— USGS 7.5 Minute Streams
— Lake Auburn Watershed Streams Buffer 400 ft
— Wetlands

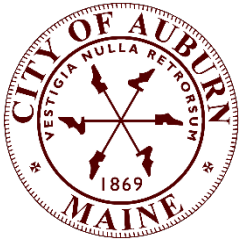
* This Map was created on April 23, 2024 using USGS 7.5 minute lakes and streams



Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Resolve: 6-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: Resolve calling on the Lake Auburn Watershed Protection Commission to Fund Subsurface Wastewater System Inspections in the Lake Auburn Watershed

Information: The proposed Resolved calls upon the LAWPC to fund inspections of Subsurface Wastewater Systems in the Lake Auburn Watershed for the protection of the Lake as a water supply.

City Budgetary Impacts: None anticipated

Staff Recommended Action: Staff recommends that the Council consider this resolve and vote on passage.

Previous Meetings and History: The Idea of identifying a funding source has been discussed at Lake Auburn stakeholder meetings and the Planning Board recommended delaying the inspection program until funding sources are identified. This is a possible solution.

City Manager Comments:

I concur with the recommendation. Signature:



Attachments:

Resolve



City Council Resolve

IN CITY COUNCIL

BE IT RESOLVED, WHEREAS, Lake Auburn is a great pond owned by the State of Maine in trust for the benefit of the citizens of the State; and

WHEREAS, the Maine State Legislature has granted the Auburn Water District and the City of Lewiston the right to draw water from Lake Auburn for the purpose of providing drinking water to the residents and other water users within the cities of Auburn and Lewiston; and

WHEREAS, in 1993 the Auburn Water District and the City of Lewiston entered into an interlocal cooperation agreement for the protection of Lake Auburn; and

WHEREAS, through the 1993 interlocal cooperation agreement the Auburn Water District and the City of Lewiston created the Lake Auburn Watershed Protection Commission; and

WHEREAS, the Lake Auburn Water Protection Commission receives its general fund budget from the Auburn Water District and the City of Lewiston on an equal basis; and

WHEREAS, the purpose of the Lake Auburn Water Protection Commission is to take reasonable steps to protect Lake Auburn from pollution; and

WHEREAS, the State of Maine Drinking Water Program has, through its statutory authority, defined the watershed boundary for Lake Auburn; and

WHEREAS, the Auburn Water District, City of Auburn, City of Lewiston, and the Lake Auburn Water Protection Commission have all adopted the Lake Auburn Watershed boundary as set forth by the State of Maine Drinking Water Program; and

WHEREAS, the City of Auburn has enacted municipal ordinances to create a Lake Auburn Watershed Overlay District that conforms to the Lake Auburn Watershed Boundary; and



City Council Resolve

WHEREAS, the City of Auburn has enacted municipal ordinances regulating the installation and use of subsurface wastewater treatment systems that are used within the Lake Auburn Watershed Overlay District in order to protect Lake Auburn from pollution; and

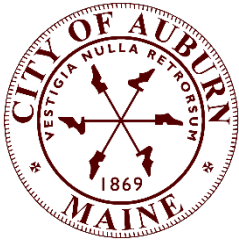
WHEREAS, to ensure that subsurface wastewater treatment systems operating within the Lake Auburn Watershed Overlay District are functioning in compliance with City ordinances, the City of Auburn has enacted municipal ordinances that require the owner of the property to have their subsurface wastewater treatment system inspected on a periodic basis by a qualified inspector who shall report their findings to the City; and

WHEREAS, the cost of such inspections may be burdensome to property owners who must have such inspections performed; and

WHEREAS, most residents of the Lake Auburn Watershed Overlay District do not receive drinking water from the Auburn Water District and the primary beneficiary of the subsurface wastewater treatment system inspections performed in the Lake Auburn Overlay District are the customers of the Auburn Water District and City of Lewiston Water Division.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn that, we call upon the Lake Auburn Water Protection Commission to institute a program to perform, without charge, the subsurface wastewater treatment system inspections within the Lake Auburn Watershed Overlay District to protect Lake Auburn from pollution and to remove the burdensome cost from residents within the Lake Auburn Watershed Overlay District who do not enjoy the benefit of receiving drinking water from Lake Auburn.

AND BE IT FURTHER RESOLVED, that we call upon the Auburn Water District and the City of Lewiston to provide adequate appropriations to the Lake Auburn Water Protection Commission to fund a program to perform the subsurface wastewater treatment system inspections within the Lake Auburn Watershed Overlay District.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance 16-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: City Council First Reading on proposed text amendment to Article XVI Administration and Enforcement.

Information: The zoning text amendment extends the timeframe for initially accepting an application for processing to reflect the existing review schedule within the City of Auburn. The amendment also guides the process to communicate either the deficiency, conditional acceptance, or full acceptance of the application. This amendment clarifies the date of acceptance as the date the director verifies that all required submittals have been turned in and are satisfactory.

This zoning text amendment removes the provision that a project is automatically approved if no action's taken within 60 days after a complete application submittal in recognition that there are several occasions in which the period of review is reasonably extended or delayed. For example, they may request the applicant to provide a traffic analysis or other information pertaining to the safety and functionality of a site. Beyond the information required by the city, the applicant may also be required to get additional state permits depending on the size and impact of the project. Possible additional permitting may include Natural Resource Protection Act (NRPA), State review for anything outside of delegated review authority including projects with impervious area exceeding 10 acres and projects generating over 200 trips at peak hour, Review and approval by the Army Corps of Engineers, Air Emissions License, and extends the timeline of approval for solar energy projects which frequently required approval extension due to delays in securing the CMP interconnection agreement.

City Budgetary Impacts: None anticipated

Staff Recommended Action: Staff recommends that the Council hold first reading and vote on this item. Second Reading and Public Hearing will be scheduled for July 15, 2024.

Previous Meetings and History: Planning Board held a workshop on this text amendment on May 14, 2024 and made a positive recommendation at the planning board public hearing, June 18, 2024.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Ordinance, Article XVI Division 2 Draft Text Amendment, Planning Board Recommendation, Order, Planning Board Staff Report



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/24/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board motion on timelines and processes surrounding planning board site plan review.

The following is the report from the Planning Board regarding adopting new and clarifying language regarding Site Plan Review. After notice and Public Hearings held on June 18th, 2024, the Planning Board forwards this report to the City Council.

PUBLIC HEARING/ MAP AMENDMENT: City Council initiated a zoning text amendment to Chapter 60, Division 2 Site Plan Review pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Summary and Discussion: Discussion about previous workshops the planning board has had on this item. Staff discusses the reason for this amendment which is to add flexibility to the timeline for approving projects where needed. There was also a short discussion on the meaning of “unreasonable delay” from existing case law. The Planning Board made a favorable recommendation to the City Council to adopt this text change.

Motion: Riley Bergeron makes a motion to forward a favorable recommendation to the city council on Chapter 60, Division 2 Site Plan Review to reflect the language specified in this meeting’s materials. **Second:** Bob Hayes seconds the motion.

Vote: 5-0-0 motion passes.



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: June 18th 2024

Auburn Planning Board

Author: Katherine Cook, Planning Coordinator

Subject: Item # 8 Planning Board Public Hearing text amendment to Article XVI Administration and Enforcement

- I. **Proposal:** Public Hearing on City Council initiated amendment to Chapter 60, Article XVI, Division 2 Site Plan Review
- II. **Background:** Staff had a discussion with the planning board in 2023 related to the City of Auburn's ordained procedures to accept, review, and make a decision to approve or deny development review applications. Among the prompts for this ordinance text amendment were 1.) the longer timeline required between application and construction for solar energy generating systems, 2.) the occasional need to extend planning board review time due to reasonable delays, and 3.) the need to update Auburn's Ordinance to reflect city staff's practiced timeline and process of development review.

The text proposed text amendment is intended to address shortcomings in the ordinance that may result in automatic approvals being identified based on project reviews that may take more than one Planning Board Meeting. This amendment considers that the Planning Board is empowered to request more information if needed to make a final decision on a development review application.

The zoning text amendment extends the timeframe for initially accepting an application for processing to reflect the existing review schedule within the City of Auburn. The amendment also guides the process to communicate either the deficiency, conditional acceptance, or full acceptance of the application. This amendment clarifies the date of acceptance as the date the director verifies that all required submittals have been turned in and are satisfactory.

This zoning text amendment removes the provision that a project is automatically approved if no action's taken within 60 days after a complete application submittal in recognition that there are several occasions in which the period of review is reasonably extended or delayed. For example, they may request the applicant to provide a traffic analysis or other information pertaining to the safety and functionality of a site. Beyond the information required by the city, the applicant may also be required to get additional state permits depending on the size and impact of the project. Possible additional permitting may include

- Natural Resource Protection Act (NRPA)
- State review for anything outside of delegated review authority including projects with impervious area exceeding 10 acres and projects generating over 200 trips at peak hour,
- Review and approval by the Army Corps of Engineers,
- Air Emissions License.

Finally, this amendment also extends the timeline of approval for solar energy projects which frequently required approval extension due to delays in securing the CMP interconnection agreement.

Suggested Ordinance Amendments:

Sec. 60-1300. File for site plan review

- Replace "~~department of community development and planning~~" with "planning, permitting and code department"
 - Remove clause "~~such plans shall be filed not less than 30 days prior to a regularly scheduled meeting~~"
-

Sec. 60-1303. Approval-Timeline for Review.

- Remove “~~planning, permitting and code enforcement~~” before “director”
 - Extend the initial application completeness review time from ~~five~~ days to 10 business days and notify the applicant that either 1.) The application is not accepted for processing as it has not met the requirements of Sec. 60-1300 and Sec. 60-1301 and shall enumerate the materials that are missing; or 2.) The application has been conditionally accepted for processing as one or more required elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or 3.) The application has met the requirements of Sec. 60-1300 and Sec. 60-1301 and is accepted for processing.
 - Clarify method for distribution and review within departments of the city. Options include 1.) Request additional information from the applicant in order to assist with the director’s review of the submitted site plan and/or 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director’s opinion, will cause the site plan to conform to city requirements.
 - Specify that the director shall, upon completion of the director’s review of the site plan, but no later than 60 days after the notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.
-

Sec. 60-1304. Same—Public hearing; findings.

- Establish a timeline of at least 15 days between the director’s request to schedule a public hearing, and the date of the public hearing scheduled by the planning board chair.
 - Specify that the planning board shall not unreasonably delay taking final action on a site plan after the closure of the public hearing.
-

Sec. 60-1306. Signed copies.

- Remove the sentence, “~~if no action is taken within 60 days after submittal of a completed application, the site plan shall be deemed to have been approved.~~”
 - Specify that the approved plan shall be signed by the planning board chair on behalf of the planning board.
-

Sec. 60-1307. Findings in writing

- Specify that the findings for the decision shall be signed by the planning board chair on behalf of the planning board.
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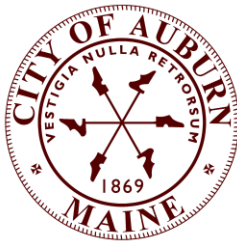
Sec. 60-1308. Expiration of approval.

- Extends the date of expiration for solar energy generating systems from one year until two years after the date of approval.
 - In the case that the project is litigated, specify that the approval will not commence until a nonappealable court judgement is issued.
 - Replace “~~his~~” with “the developer’s”
-

Sec. 60-1313. Correction of off-site deficiencies.

- Replace “~~his~~” with “the developer’s”
-

- III. **Staff Recommendation/ Planning Board Action:** Review the proposed text amendment, discuss, hold a public hearing, and forward a recommendation to the city council. Staff Recommends the Planning Board favor a favorable recommendation as the amendment gives the planning board, applicants and staff more flexibility in project review.
- IV. **Potential Motion:** I make a motion to forward a favorable recommendation to the city council Chapter 60, Article XVI, Division 2 Site Plan Review to reflect the language specified in this meeting’s materials.



ORDER 69-05062024

City Council Order

IN CITY COUNCIL

Ordered, that the Auburn City Council initiate an amendment to City of Auburn Ordinances Chapter 60, Article XVI, Division 2 Site Plan Review and refer the proposed(attached) text to the Planning Board for a public hearing and recommendation on the proposed text amendment pursuant to Chapter 60, Article XVII. Amendments.

Passage on 5/6/24 5-2 (Milks, Gerry)

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

DIVISION 2. SITE PLAN REVIEW

Subdivision I. In General

Sec. 60-1276. Purpose.

The purpose of site plan review is to ensure that the design and layout of certain developments permitted by special exceptions, or other developments noted herein, will constitute suitable development and will not result in a detriment to city, neighborhood or the environment.

(Ord. of 9-21-2009, § 7.1A)

Sec. 60-1277. Objective.

In considering a site plan, the planning board shall make findings that the development has made provisions for:

- (1) Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;
- (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;
- (3) Adequacy of the methods of disposal for wastes; and
- (4) Protection of environment features on the site and in adjacent areas.

(Ord. of 9-21-2009, § 7.1B)

Sec. 60-1278. Applicability.

A site plan review shall be required for the following projects:

- (1) All uses permitted by special exception.
- (2) Any other uses for which site plan review is required by any other provision contained in this or other ordinances.

(Ord. of 9-21-2009, § 7.1C)

Secs. 60-1279—60-1299. Reserved.

Subdivision II. Procedure

Sec. 60-1300. File for site plan review.

An applicant for site plan review shall file with the ~~department of community development and planning~~planning, permitting and code department a completed site plan application along with an original and 15 copies of the site plan and the required processing fee. ~~Such plans shall be filed not less than 30 days prior to a regularly scheduled meeting.~~ Plans shall be folded at a size not to exceed 8½ inches by 11 inches.

(Ord. of 9-21-2009, § 7.1D(1); Ord. No. 11-03012021, 3-15-2021)

Sec. 60-1301. Scale; required information.

The original plan shall be drawn on reproducible Mylar at a scale of no more than 100 feet to the inch. Each site plan shall contain the following information:

- (1) Name and address of owner and developer and interest of the applicant if other than the owner or developer.
- (2) Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend.
- (3) Names and addresses of all owners of record of all adjacent property as appear on assessor's records.
- (4) Current zoning boundaries and 100-year floodplain boundaries including surrounding areas to a distance of 300 feet from the perimeter of the site.
- (5) Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property.
- (6) Topographic map of the site, containing the following:
 - a. Existing contours, where the slope of existing ground surface is generally two percent or more, the topographic map shall show contours at intervals of five feet of elevation (or lesser intervals as the planning board or engineering department may prescribe). Where the slope of the existing ground surface is generally less than two percent, contour intervals of one foot shall be shown. These contours shall not be copied from the city topographic maps and shall be determined from an on-site survey certified by a registered land surveyor.
 - b. Proposed contours shall be shown at intervals to be determined by the city engineer.
- (7) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees with a diameter of ten inches measured three feet from the base of the trunk.
- (8) Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of 100 feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed.
- (9) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow, existing within 200 feet of the subject property.
- (10) Existing soil conditions and soil suitability test results.
- (11) Locations of proposed buildings and uses thereof.
- (12) Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curblines, sidewalk lines and existing streets, including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.

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- (13) Location of existing and proposed public utility lines, indicating whether proposed lines will be placed underground.
 - (14) Site developments requiring stormwater permits pursuant to 38 M.R.S.A. § 420-D shall include the required plan and to the extent permitted under 38 M.R.S.A. § 489-A, be reviewed under the procedures of article XVI of this chapter; and they shall meet and comply with 38 M.R.S.A. § 484(4-A) and those Rules promulgated by the Maine Department of Environmental Protection pursuant to the Site Law and section 420-D, specifically Rules 500, 501 and 502, as last amended August 12, 2015. If a project proposes infiltration and the standards in Rule 500, appendix D are not met, then a waste discharge license may be required from the Maine Department of Environmental Protection. An infiltration system serving a development regulated under the Site Location of Development Act may be required to meet standards in addition to those in appendix D.
 - (15) Location and design of proposed off-street parking and loading areas indicating number and size of stalls.
 - (16) Proposed location and direction of and time of use of outdoor lighting.
 - (17) Existing and proposed planting, fences and walls, including all landscaping and screening and indicating existing trees to be retained and areas to be left undisturbed, including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors.
 - (18) Location, size, design and manner of illumination of signs.
 - (19) Disposal of sewage, trash, solid waste, oil waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas.
 - (20) Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances and radii of curves including the name and seal of the registered land surveyor who prepared the plan.
 - (21) Description and plan of capacity and location of means of sewage disposal together with approval of sewer district engineer or evidence of soil suitability for such disposal (test pit locations shall be shown on the plans) similarly approved by the city engineer department.
 - (22) A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by the zoning chapter for the uses proposed, the number of employees expected per shift and the total floor area of proposed commercial or industrial uses.
 - (23) Description and plan of a phase development concept detailing the areas and sequence of phasing.
 - (24) A statement by the developer assuring that he has the financial capabilities to fully carry out the project and to comply with the conditions imposed by the planning board.

(Ord. of 9-21-2009, § 7.1D(2); Ord. No. 10-10172016, 11-7-2016)

Sec. 60-1302. Exemption for information.

Upon request, the planning board, or the ~~planning, permitting and code enforcement~~ director, acting for the board, may waive the necessity of providing any of the foregoing planning information which is not relevant to the proposed development. The planning board or the ~~planning, permitting and code enforcement~~ director, acting for the board, may waive the site plan review fee if the purpose of the site plan review is to determine the adaptive reuse of a structure of community significance.

(Ord. of 9-21-2009, § 7.1D(3); Ord. No. 05-04032017, § 3, 4-24-2017)

Sec. 60-1303. Approval—Time-line for review.

The ~~planning, permitting and code enforcement~~ director shall, within ~~five~~ 10 business days of receipt, review the application and notify the applicant that either:

- 1.) The application is not accepted for processing, as it has not met the requirements of Sec. 60-1300 and 60-1301, and shall enumerate the materials that are missing; or
- 2.) The application has been conditionally accepted for processing as one or more required minor elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or
- 3.) The application has met the requirements of Sec. 60-1300 and 60-1301 and is accepted for processing.

The ~~planning, permitting and code enforcement~~ director shall, at the time of notification to the applicant that the application is accepted for processing, transmit copies of the application and site plan to those city departments that, in his-the director's view-opinion, requires such information to provide recommendations regarding the application to the planning board. The ~~agencies departments~~ receiving these copies shall have up to 15 business days to ~~make-provide their~~ recommendations to the ~~planning, permitting and code enforcement~~ director.

The ~~planning, permitting and code enforcement~~ director shall review the submitted site plan and any recommendations made by the city departments and may:

- 1.) -Request additional information from the applicant in to order assist with the director's review of the submitted site plan.
- 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director's opinion, will cause the site plan to conform to city requirements.

The ~~planning, permitting and code enforcement~~ director shall, upon completion of the director's review of the site plan, but not later than 60 days after notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.

(Ord. of 9-21-2009, § 7.1D(4))

Sec. 60-1304. Same—Public hearing; findings.

The planning board chair shall, upon request of the ~~planning, permitting and code enforcement~~ director, schedule a public hearing at the next regularly scheduled planning board meeting that occurs at least 16 days after receipt of the request from the director~~within 30 days of receipt of a completed application, hold a public hearing.~~ Notice of a public hearing shall be given in the manner provided for in division 3 of article XVII of this chapter. The planning board will not unreasonably delay the takinge of final action on the site plan ~~within 60 days of receiving a completed application, or within such other time limit as may be mutually agreed to after the public hearing.~~ Such final action shall consist of either:

- (1) A finding and determination that the proposed project will constitute a suitable development and will not result in a detriment to the neighborhood or the environment; or
- (2) A written denial of the application stating the reasons for such denial, upon a finding that:

-
- a. The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will create hazards to safety.
 - b. The bulk, location or operation of proposed buildings and structures will be detrimental to and adversely affect the use and values of existing development in the neighborhood or the health or safety of persons residing or working therein.
 - c. The provisions for on-site landscaping are inadequate to screen neighboring properties from unsightly features of the development.
 - d. The site plan does not adequately provide for the soil and drainage problems which the development may give rise to in accordance with section 60-1301(14).
 - e. The provisions for exterior lighting create safety hazards for motorists traveling on adjacent streets, or are inadequate for the safety or occupants or users of the site, or will create a nuisance affecting adjacent properties.
 - f. The proposed development will unduly burden off-site sewer drainage or water systems.
 - g. The proposed development will create a fire hazard by failing to provide adequate access to the site, or to buildings on the site, for emergency vehicles.
 - h. The proposed development violates provisions of the zoning regulations applicable to the site or other applicable laws, regulations or ordinances.
 - i. The proposed development will unduly impact the ability to provide municipal services.

(Ord. of 9-21-2009, § 7.1D(5))

Sec. 60-1305. Same—Subject to conditions, modification, restrictions, etc.

Approval may be made subject to conditions, modifications and restrictions as the planning board may deem necessary; and any construction, reconstruction, alteration or addition shall be carried on only in conformity to such conditions, modifications or restrictions and in conformity with the application and site plan.

(Ord. of 9-21-2009, § 7.1D(6))

Sec. 60-1306. Signed copies.

~~If no action is taken within 60 days after submittal of a completed application, the site plan shall be deemed to have been approved.~~ An original of the approved plan signed by the planning board chair, on behalf of the planning board, and one signed copy shall be delivered to the applicant, the assessor's department, the engineering department and to the building inspector on which basis building permits may be issued when all other required plans have been approved.

(Ord. of 9-21-2009, § 7.1D(7))

Sec. 60-1307. Findings in writing.

The findings of the planning board shall be in writing, signed by the planning board chair on behalf of the planning board, with a copy being forwarded to the applicant. The planning board's written report shall also include a statement as to how any deficiencies in the site plan might be resolved and what conditions, modifications and restrictions are to be complied with in executing the plan.

(Ord. of 9-21-2009, § 7.1D(8))

Sec. 60-1308. Expiration of approval.

Approval of a site plan shall expire one year after the date of approval, except for approved site plans for solar energy generating systems, which shall expire in two years after the date of approval, unless all building permits have been obtained to begin construction in accordance with the approved site plan. If a development is contested with litigation, the approval period of this section shall not commence until a final, nonappealable court judgment is issued or until the litigation has been dismissed with prejudice. This provision shall apply retroactively to all projects approved after January 1, 2007. Any site plan that contains a phase concept approved by the planning board shall not be required to obtain all building permits within the time sequence established for completion of each phase. No building permits or other permits shall be issued until all improvements are substantially completed for the preceding phase. A single one-year extension may be given upon a showing of good cause in writing by the applicant to the planning board not less than 30 days before the expiration of approval of ~~his~~ the applicant's existing plan. ~~—~~ The planning board shall approve or disapprove the requested extension at its next regular meeting.

(Ord. of 9-21-2009, § 7.1D(9); Ord. No. 02-04012013, att. D, 4-16-2013)

Sec. 60-1309. No building permitted without approval.

No permit shall be issued for the construction of any building in an area included in the site plan or in any development for which a site plan is required until such site plan has been approved by the planning board and unless the construction plans and specifications presented to the building inspector with the application for the permit are consistent with the approved site plan.

(Ord. of 9-21-2009, § 7.1D(10))

Sec. 60-1310. Certificate of occupancy.

No certificate of occupancy shall be issued with respect to any building until all construction called for by the site plan is completed, except by special permission of the planning board granted upon a showing of special circumstances warranted the issuance of the certificate and that the remaining construction will be completed within a reasonable time.

(Ord. of 9-21-2009, § 7.1D(11))

Sec. 60-1311. Deposit of surety.

The planning board may require the applicant with the submission of the site plan to tender a certified check payable to the city and issued by a surety company or secured by deposits issued by institutions authorized to issue the same by the laws of the state or the United States or irrevocable letters of credit issued by said banking institutions in an amount of money determined by the city planner, with the advice of the various city departments and agencies concerned, to be sufficient to ensure compliance with the approved site plan.

(Ord. of 9-21-2009, § 7.1D(12))

Sec. 60-1312. Review of planning board needed for variance.

For those developments subject to site plan review (division 2 of article XVI of this chapter) the relaxation of the dimensional requirements of any use district shall be reviewed by the planning board. The modifications of the

dimensional requirements shall be allowed as the planning board may deem necessary to carry out the objectives and intent of site plan review as specified in division 2 of article XVI of this chapter.

(Ord. of 9-21-2009, § 7.1D(13))

Sec. 60-1313. Correction of off-site deficiencies.

The planning board shall have the right to require the developer, at ~~his~~the developer's expense, to correct any off-site deficiencies either created or aggravated by the developer's proposed project.

(Ord. of 9-21-2009, § 7.1D)

Secs. 60-1314—60-1334. Reserved.



City Council Ordinance

IN CITY COUNCIL

BE IT ORDAINED by the Auburn City Council, that Chapter 60, Zoning, of the Code of Ordinances be amended as follows:

Chapter 60 ZONING

• • •

ARTICLE XVI. ADMINISTRATION AND ENFORCEMENT

• • •

DIVISION 2. SITE PLAN REVIEW

• • •

Sec. 60-1300. File for site plan review.

An applicant for site plan review shall file with the ~~department of community development and planning~~planning, permitting and code department a completed site plan application along with an original and 15 copies of the site plan and the required processing fee. ~~Such plans shall be filed not less than 30 days prior to a regularly scheduled meeting.~~ Plans shall be folded at a size not to exceed 8½ inches by 11 inches.

(Ord. of 9-21-2009, § 7.1D(1); Ord. No. 11-03012021, 3-15-2021)

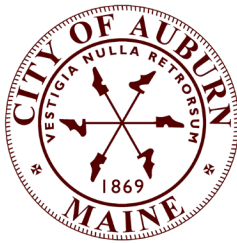
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Sec. 60-1303. Approval—Time-line for review.

The ~~planning, permitting and code enforcement~~ director shall, within ~~five~~10 business days of receipt, review the application and notify the applicant that either:

- 1.) The application is not accepted for processing, as it has not met the requirements of Sec. 60-1300 and 60-1301, and shall enumerate the materials that are missing; or
- 2.) The application has been conditionally accepted for processing as one or more required minor elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or
- 3.) The application has met the requirements of Sec. 60-1300 and 60-1301 and is accepted for processing.

The ~~planning, permitting and code enforcement~~ director shall, at the time of notification to the applicant that the application is accepted for processing, transmit copies of the application and site plan to those city departments that, in his-the director's view-opinion, requires such information to provide recommendations regarding the application to the planning board. The ~~agencies-departments~~ receiving these copies shall have up to



City Council Ordinance

15 business days to make-provide their recommendations to the planning, permitting and code enforcement director.

The planning, permitting and code enforcement director shall review the submitted site plan and any recommendations made by the city departments and may:

- 1.) -Request additional information from the applicant in to order assist with the director's review of the submitted site plan.
- 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director's opinion, will cause the site plan to conform to city requirements.

The planning, permitting and code enforcement director shall, upon completion of the director's review of the site plan, but not later than 60 days after notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.

(Ord. of 9-21-2009, § 7.1D(4))

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Sec. 60-1303. Approval—Time-line for review.

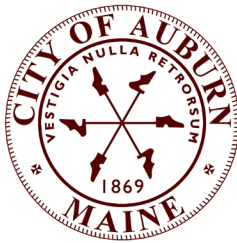
The planning, permitting and code enforcement director shall, within five-10 business days of receipt, review the application and notify the applicant that either:

- 1.) The application is not accepted for processing, as it has not met the requirements of Sec. 60-1300 and 60-1301, and shall enumerate the materials that are missing; or
- 2.) The application has been conditionally accepted for processing as one or more required minor elements, as required by Sec. 60-1300 or 60-1301, are missing or inadequate and must be submitted within five business days or the application will not be accepted for processing; or
- 3.) The application has met the requirements of Sec. 60-1300 and 60-1301 and is accepted for processing.

The planning, permitting and code enforcement director shall, at the time of notification to the applicant that the application is accepted for processing, transmit copies of the application and site plan to those city departments that, in his-the director's view-opinion, requires such information to provide recommendations regarding the application to the planning board. The agencies-departments receiving these copies shall have up to 15 business days to make-provide their recommendations to the planning, permitting and code enforcement director.

The planning, permitting and code enforcement director shall review the submitted site plan and any recommendations made by the city departments and may:

- 1.) -Request additional information from the applicant in to order assist with the director's review of the submitted site plan.
- 2.) Make recommendations to the applicant for changes to the submitted site plan that, in the director's opinion, will cause the site plan to conform to city requirements.



City Council Ordinance

The planning, permitting and code enforcement director shall, upon completion of the director's review of the site plan, but not later than 60 days after notification to the applicant that the application is accepted for processing, request the planning board chair to schedule a public hearing by the planning board at a regularly scheduled planning board meeting.

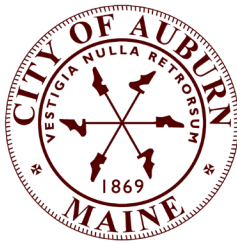
(Ord. of 9-21-2009, § 7.1D(4))

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Sec. 60-1304. Same—Public hearing; findings.

The planning board chair shall, upon request of the planning, permitting and code enforcement director, schedule a public hearing at the next regularly scheduled planning board meeting that occurs at least 16 days after receipt of the request from the director within 30 days of receipt of a completed application, hold a public hearing. Notice of a public hearing shall be given in the manner provided for in division 3 of article XVII of this chapter. The planning board will not unreasonably delay the taking of final action on the site plan within 60 days of receiving a completed application, or within such other time limit as may be mutually agreed to after the public hearing. Such final action shall consist of either:

- (1) A finding and determination that the proposed project will constitute a suitable development and will not result in a detriment to the neighborhood or the environment; or
- (2) A written denial of the application stating the reasons for such denial, upon a finding that:
 - a. The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets will create hazards to safety.
 - b. The bulk, location or operation of proposed buildings and structures will be detrimental to and adversely affect the use and values of existing development in the neighborhood or the health or safety of persons residing or working therein.
 - c. The provisions for on-site landscaping are inadequate to screen neighboring properties from unsightly features of the development.
 - d. The site plan does not adequately provide for the soil and drainage problems which the development may give rise to in accordance with section 60-1301(14).
 - e. The provisions for exterior lighting create safety hazards for motorists traveling on adjacent streets, or are inadequate for the safety or occupants or users of the site, or will create a nuisance affecting adjacent properties.
 - f. The proposed development will unduly burden off-site sewer drainage or water systems.
 - g. The proposed development will create a fire hazard by failing to provide adequate access to the site, or to buildings on the site, for emergency vehicles.
 - h. The proposed development violates provisions of the zoning regulations applicable to the site or other applicable laws, regulations or ordinances.
 - i. The proposed development will unduly impact the ability to provide municipal services.



City Council Ordinance

(Ord. of 9-21-2009, § 7.1D(5))

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Sec. 60-1306. Signed copies.

~~If no action is taken within 60 days after submittal of a completed application, the site plan shall be deemed to have been approved.~~ An original of the approved plan signed by the planning board chair, on behalf of the planning board, and one signed copy shall be delivered to the applicant, the assessor's department, the engineering department and to the building inspector on which basis building permits may be issued when all other required plans have been approved.

(Ord. of 9-21-2009, § 7.1D(7))

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Sec. 60-1307. Findings in writing.

The findings of the planning board shall be in writing, signed by the planning board chair on behalf of the planning board, with a copy being forwarded to the applicant. The planning board's written report shall also include a statement as to how any deficiencies in the site plan might be resolved and what conditions, modifications and restrictions are to be complied with in executing the plan.

(Ord. of 9-21-2009, § 7.1D(8))

• • •

Sec. 60-1308. Expiration of approval.

Approval of a site plan shall expire one year after the date of approval, except for approved site plans for solar energy generating systems, which shall expire in two years after the date of approval, unless all building permits have been obtained to begin construction in accordance with the approved site plan. If a development is contested with litigation, the approval period of this section shall not commence until a final, nonappealable court judgment is issued or until the litigation has been dismissed with prejudice. This provision shall apply retroactively to all projects approved after January 1, 2007. Any site plan that contains a phase concept approved by the planning board shall not be required to obtain all building permits within the time sequence established for completion of each phase. No building permits or other permits shall be issued until all improvements are substantially completed for the preceding phase. A single one-year extension may be given upon a showing of good cause in writing by the applicant to the planning board not less than 30 days before the expiration of approval of ~~his~~ the applicant's existing plan. ~~—~~ The planning board shall approve or disapprove the requested extension at its next regular meeting.

• • •

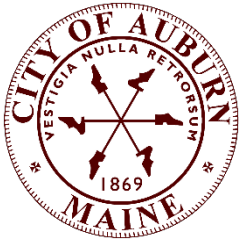


City Council Ordinance

Sec. 60-1313. Correction of off-site deficiencies.

The planning board shall have the right to require the developer, at ~~his~~ the developer's expense, to correct any off-site deficiencies either created or aggravated by the developer's proposed project.

(Ord. of 9-21-2009, § 7.1D)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Ordinance 17-07012024

Author: Eric J. Cousens, Planning & Permitting Director

Subject: Consider first reading of a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district.

Information: On June 16, the planning board made a motion to forward a favorable recommendation to City Council approve a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district. Discussion about this item touched on occasions waivers have been requested to allow for a larger setback than the 25-foot maximum setback allowed in the zone. The planning board agreed with city staff that the General Business 2 zone would allow for better functionality of the proposed city public safety use.

City Budgetary Impacts: None anticipated.

Staff Recommended Action: Staff recommends that the City Council hold a first reading and vote on the proposed amendment. Second Reading and Public Hearing will be scheduled for July 15th.

Previous Meetings and History: Planning Board Public Hearing June 16, 2024.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Ordinance, Proposed Zoning Map, June 18 Planning Board Recommendation, June 16, 2024 Staff Report.



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: 06/24/2024

To: Auburn City Council

From: Auburn Planning Board

Subject: Planning Board Motion on amending the zoning map for two certain parcels on Minot Av from T-4.2B to GBII

The following is the report from the Planning Board regarding a map amendment in service of future public safety facility on Minot Av. After notice and Public Hearings held on June 18th, 2024, the Planning Board forwards this report to the City Council.

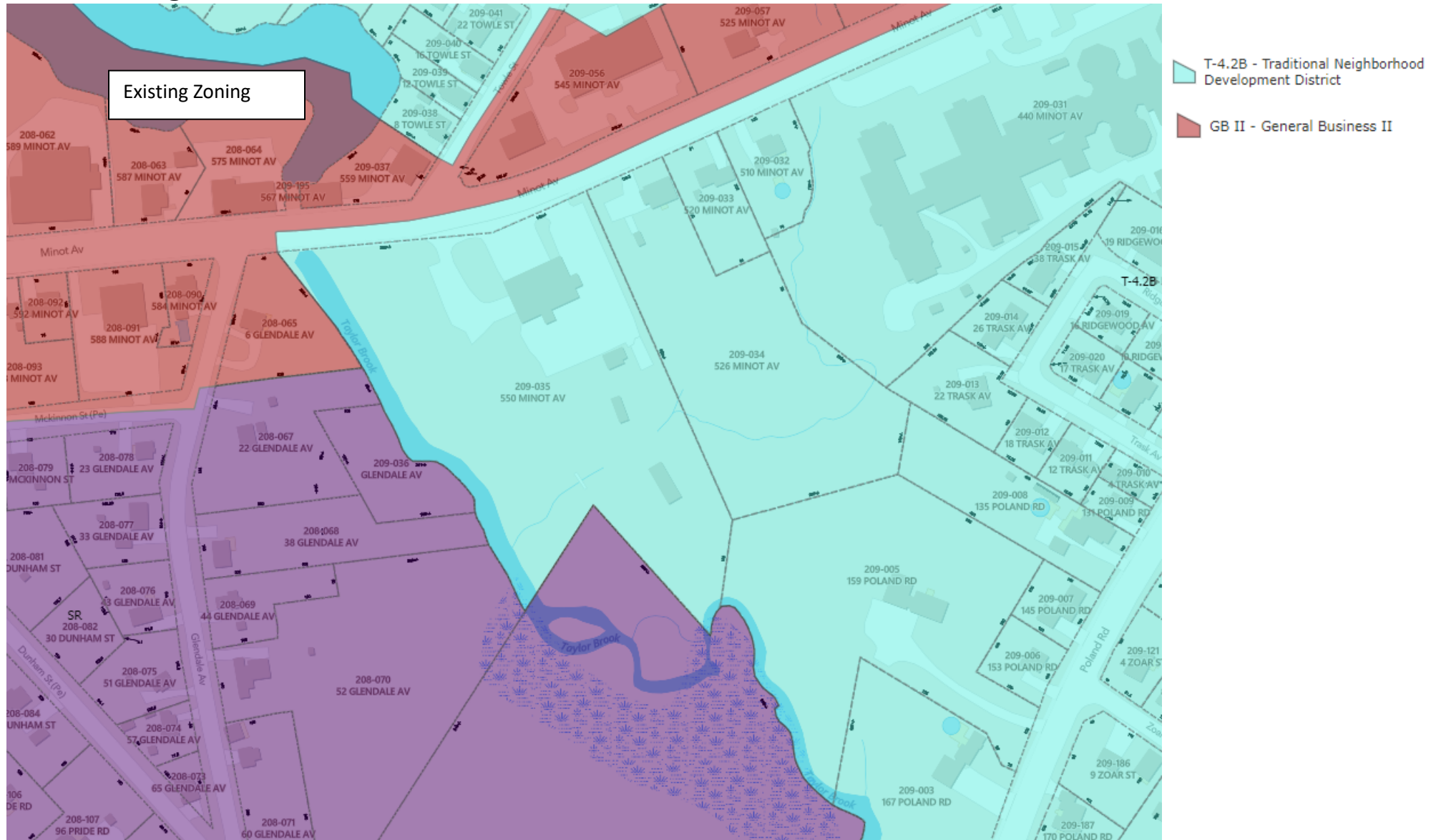
PUBLIC HEARING/ MAP AMENDMENT: Consider a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district. The City Council introduced this proposal in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Summary and Discussion: Discussion about the possible necessity for an eventual amendment to the T-4.2B zoning district because of requests for waivers specifically for the front setback requirements. Staff suggests a good time to update this would be during the process of revising the Comprehensive Plan over the next year or so. The Planning Board made a favorable recommendation to the City Council to adopt this map amendment.

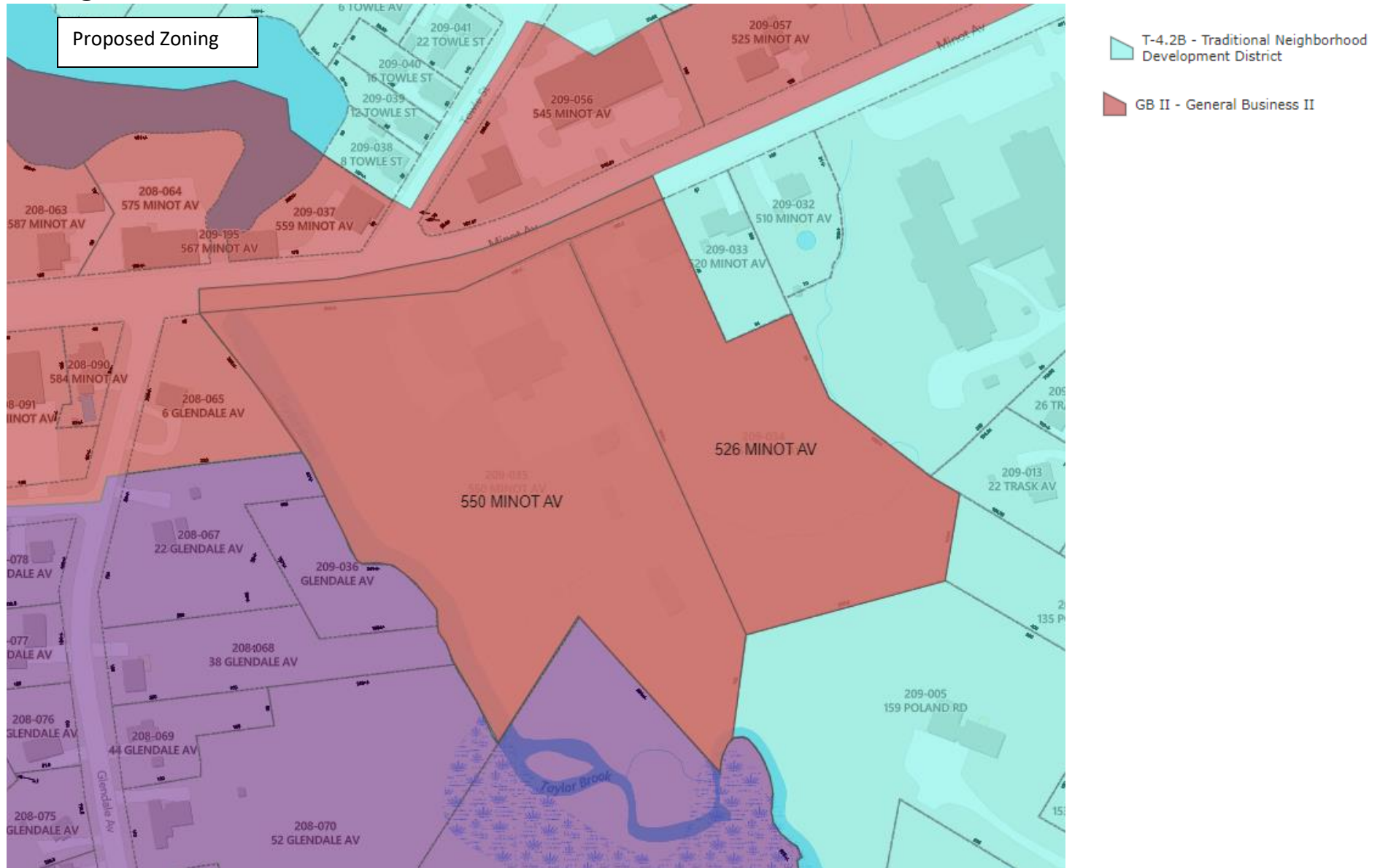
Motion: Riley Bergeron makes a motion to forward a favorable recommendation to City Council approve a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district. **Second:** Bob Hayes seconds the motion.

Vote: 5-0-0 motion passes.

Consideration of Proposed Zoning Map Amendment - 526 and 550 Minot Avenue Change from T4.2B to General Business II



Consideration of Proposed Zoning Map Amendment - 526 and 550 Minot Avenue Change from T4.2B to General Business II





City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Department of Planning, Permitting and Code
Re: **Item #9** Map Amendments for public safety facility.
Date: June 18, 2024

I. **Proposal/ Map Amendment:** Consider a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B-Traditional Neighborhood Development zoning district to General Business II zoning district. The City Council introduced this proposal in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

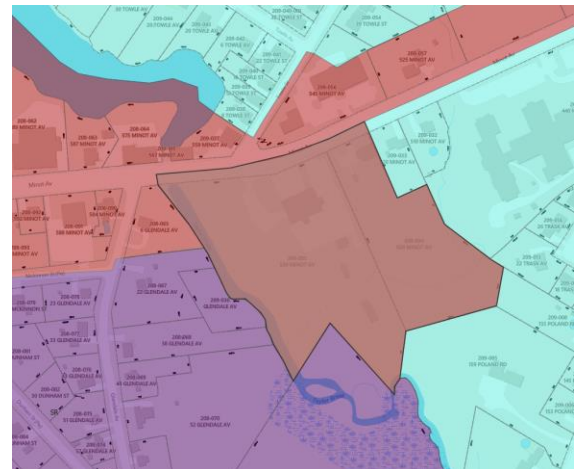
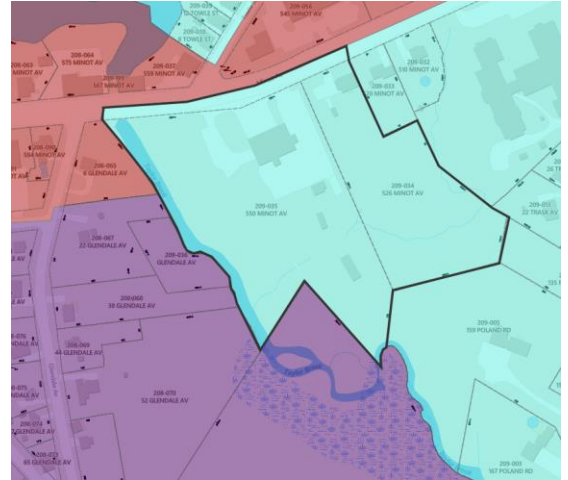
II. **Background:** This item is considering a zoning map amendment to amend approximately 8.17 acres from T-4.2B Traditional Neighborhood Development zoning district to the General Business II (Minot Ave) zoning district. The area proposed to be rezoned encompasses all the City Assessor's parcel I.D.s 209-035 and 209-034.

The purpose of this proposal is to better support a new public safety facility by allowing flexibility in form and design to best serve the needs of public employees. Municipal services and facilities are permitted in all zoning districts, but form-based code, the current zoning, requires that new structures be built close to the public right of way. The design standards in form-based code are intended to encourage new development to emphasize the relationship between the public and private realm. While it is well suited to residential and commercial areas within the City of Auburn, form-based code may not allow for the flexibility necessary to build a functional and efficient public safety facility that is designed around the movement of large vehicles inside and outside of the buildings.

The General Business II District is in alignment with the surrounding area and is compatible with the 2021 Comprehensive Plan. The provision stating that "The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development" can allow the flexibility to find the proposed change to be consistent with the Comprehensive Plan. This proposed zoning also allows for flexibility in facility layout to best serve the needs of the fire department and the police department, such as the ease and safety of movement of the fire apparatus on the properties.

III. Suggested Findings of Fact:

- The zoning map amendment is consistent with the comprehensive plan
- The zoning map amendment is consistent with Comprehensive Plan Policy C 3, to explore a cost-effective plan for housing and delivering public safety services including regional considerations.



- IV. **Planning Board Action & Staff Recommendations:** Hold a public hearing, review the proposal and make a recommendation to the city council on whether to amend the zoning map as described.
- V. **Potential Motion:** I make a motion to forward a favorable recommendation to City Council approve a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district.



ORDER 84-06032024

City Council Order

IN CITY COUNCIL

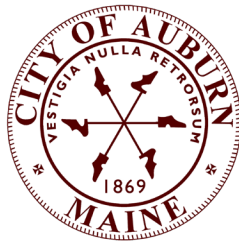
ORDERED, that the Auburn City Council directs staff to prepare a zoning map amendment for Public Hearing and a Recommendation by the Auburn Planning Board pursuant to Chapter 60, Article XVII, Division 2, Amendment to the Zoning Ordinance or Zoning Map. The intent is to amend the map on approximately 8.17 acres from T-4.2B Traditional Neighborhood Development zoning district to the General Business II (Minot Ave) zoning district as shown on the attached map. The area proposed to be rezoned encompasses all of City Assessor's parcel I.D.s 209-035 and 209-034. The purpose of this proposal is to better support a new public safety facility by allowing the flexibility in form and design to best serve the needs of public employees.

Passage on 6/3/2024 6-0 (Weisner absent)

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

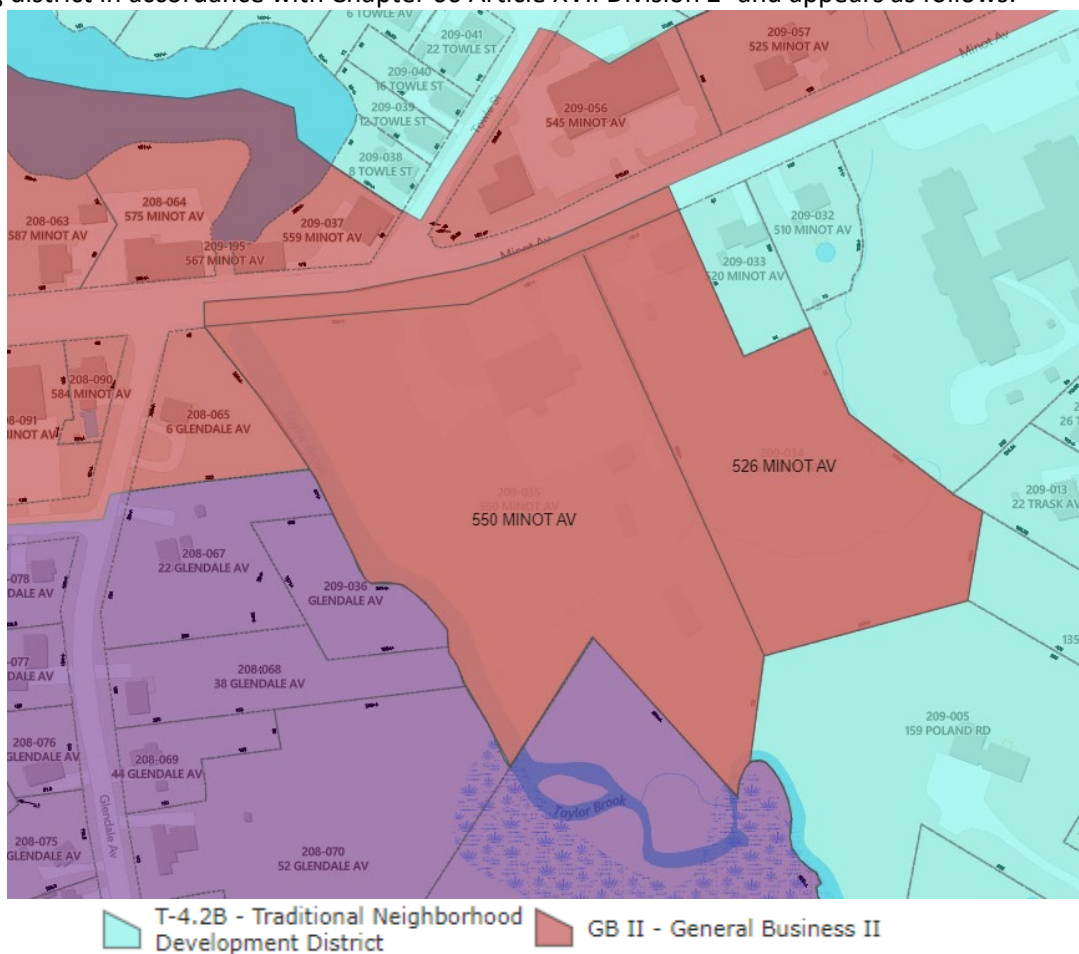


City Council Ordinance

IN CITY COUNCIL

Amending the Zoning District at 526 and 550 Minot Ave from T-4.2B to GBII:

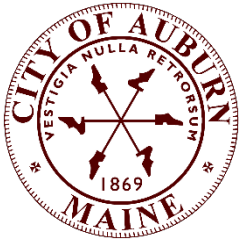
Be it ordained, by the Auburn City Council, that the Official Zoning Map of the City of Auburn to be amended to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district in accordance with Chapter 60 Article XVII Division 2- and appears as follows:



Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024,

Order: 87-070102024

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Housing Study

Information:

The Housing Ad Hoc Committee has requested ARPA funding to commission a housing study specific to Auburn through a third-party provider. This will ensure that the most recent and up-to-date information is utilized to formulate recommendations for the City Council in accordance with their mandate.

City Budgetary Impacts: NONE

Staff Recommended Action:

Approve order as presented.

Previous Meetings and History:

Council Workshops on June 3 & 17, 2024

City Manager Comments:

I concur with the recommendation. Signature:



Attachments:

NONE



ORDER 87-07012024

City Council Order

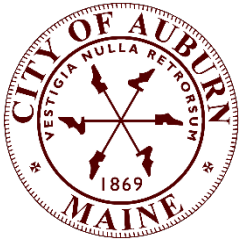
IN CITY COUNCIL

ORDERED, that the City Council authorizes the City Manager to utilize \$70,000 of American Rescue Plan Act (ARPA) funds to secure a housing audit for the City of Auburn.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Order: 88-07012024

Author: Glen E. Holmes, Director Business & Community Development

Subject: FOOD INSECURITY

Information: Since the onset of the Covid-19 pandemic – and since – community members in the City of Auburn continue to struggle with food insecurity. The cost of all household expenses has risen dramatically and families are having to prioritize their basic necessities such as food, shelter and medications. Children, who are accustomed to receiving free and reduced lunch at school, often go hungry over the weekends and during school vacations. Our community members living in elderly housing are also being impacted.

Our significant unhoused population are in need of assistance and resources. Although families and individuals are encouraged to access food pantries and the Good Shepherd Food Bank, for some families it is still not enough.

City Budgetary Impacts: None

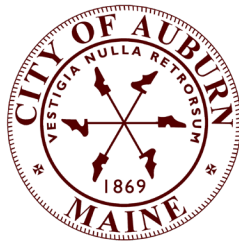
Staff Recommended Action: Vote to allocate \$40,000.00 of American Rescue Plan Act (ARPA) funds towards assisting families to reduce the incidences of food insecurity.

Previous Meetings and History: June 3, 2024; June 17, 2024, June 24, 2024

City Manager Comments:

I concur with the recommendation. Signature: *Philip Crowell Jr.*

Attachments: Order



ORDER 88-07012024

City Council Order

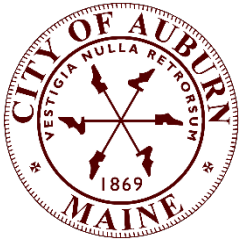
IN CITY COUNCIL

ORDERED, that the City Council allocates \$40,000.00 from the American Rescue Plan Act (ARPA) funds towards on-going food insecurity for our community members since the Covid-19 pandemic.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 1, 2024

Order: 89-07012024 & Order 90-07012024

Author: Glen E. Holmes, Director Business and Community Development

Subject: Community Resource Center to be located at 121 Mill Street

Information: Due to the Covid-19 pandemic – and since, the City of Auburn’s Business and Community Development Department has been located at 95 Main Street. This department, which also houses our General Assistance and Public Health programs, has seen a steady increase in community members needing to access services. While we have partnered with many non-profit providers and agencies, our current location and space is not convenient or conducive to providing expanded wrap-around services that will impact change for all segments of our population.

During the June 24th special City Council workshop, the Business & Community Development Department provided Council with a plan and financial projections for the relocation of the department to a vacant building, owned by the City of Auburn, and located at 121 Mill Street. The relocation of the department will provide for a community resource center with greater opportunities for our community members.

A community resource center project pro-forma was provided to the City Council detailing the significant renovations and upgrades needed as well as projected income and expenses. The reallocation of the remaining City of Auburn ARPA funds would cover costs for renovations to the building. The renovated building will include office space for current staff as well as 12 additional spaces for service providers and non-profit agencies. In partnership with several local churches, there will be access to a commercial kitchen to prepare and serve meals for our homeless population.

City Budgetary Impacts: None

Staff Recommended Action: Approve the following two orders:

1. Vote to repurpose the city owned building at 121 Mill Street.
2. Vote to increase the current ARPA allocation by \$438,702.83 of remaining ARPA funds to stand up a community resource center at 121 Mill Street.

Previous Meetings and History: June 3, 2024; June 17, 2024, June 24, 2024.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Remaining ARPA funds to be reallocated, Development plan and Pro-Forma



City of Auburn, Maine
Business & Community Development
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

June 24, 2024

To the City Manager

The Business & Community Development team was tasked with developing a plan and financial projection for a community resource center which would foster collaboration between city services and non-profit organizations. Our objective was to enhance service delivery, increase impact, and ensure a more sustainable funding model. Through proactive community development strategies and collaborative partnerships, our team is dedicated to meeting the evolving needs of our residents.

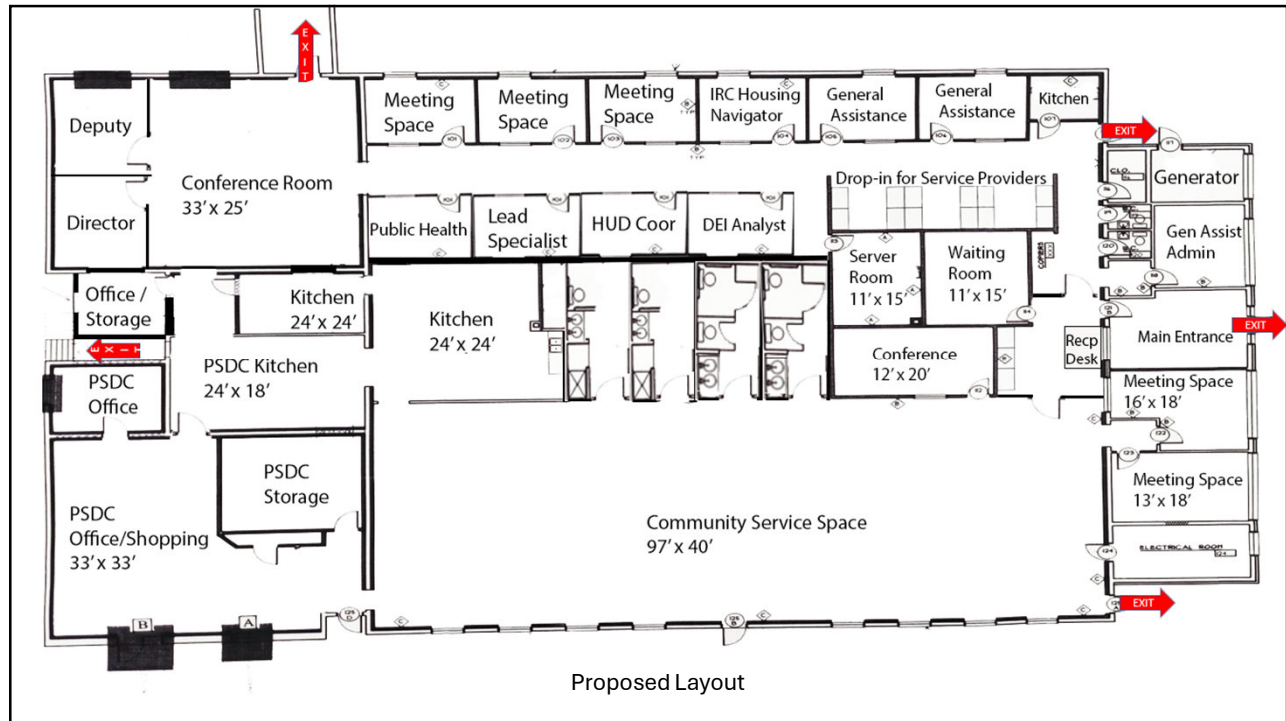
Included is a proposal for an upgraded 15,000 square foot Community Resource Center which not only addresses current security and ADA accessibility issues at the existing facility but also accommodates additional community partners such as the Drop-In Center and Preble Street. These new partners will join our existing collaborators, including the Immigrant Resource Center of Maine (IRC), Rumford Group Homes, Community Concepts Inc., Housing Resources for Youth, and Maine Immigrant Resource Services (MEIRS).

This expansion of community support will enable city staff to provide better referrals and improve operational efficiency by streamlining access to essential resources for our residents. This collaboration allows us to connect individuals in need with both private and non-profit service providers more effectively. These partners offer comprehensive services, such as employment training and housing stabilization, which address the root causes of financial instability and promote long-term self-sufficiency among Auburn residents.

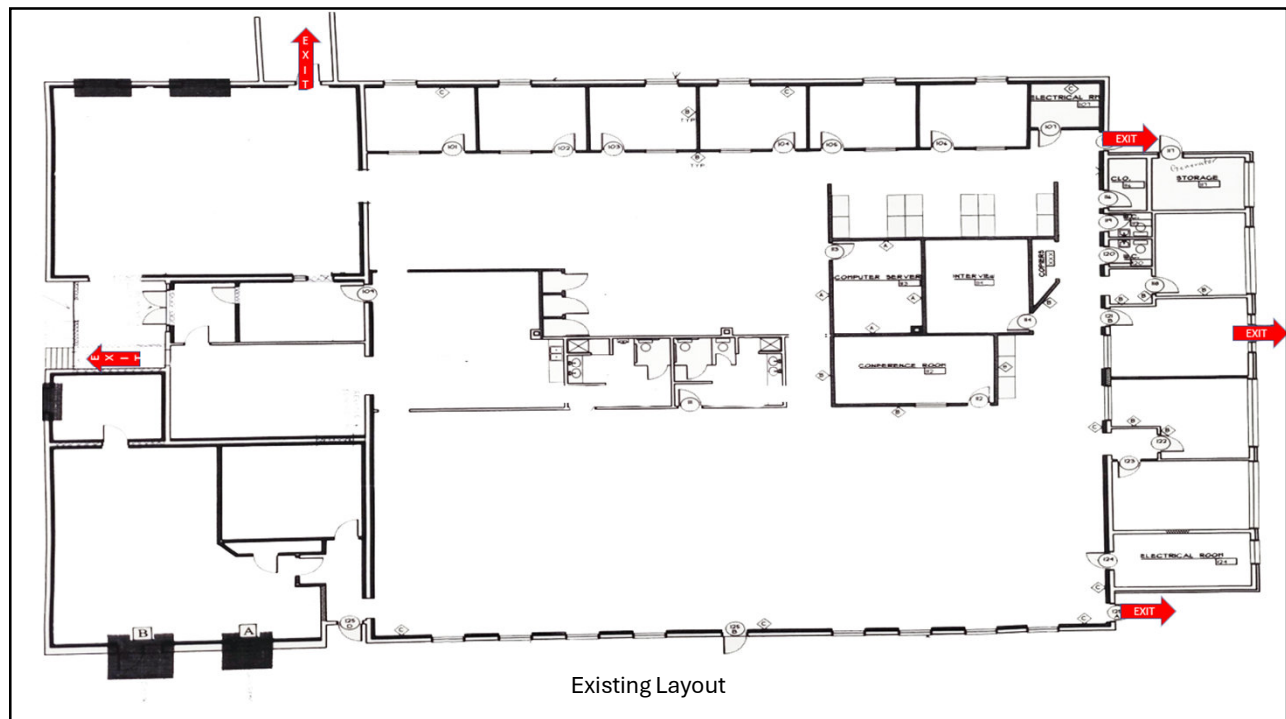
Building on the success of integrating city and non-profit services within the Business & Community Development office and leveraging previous grant applications for the redevelopment of the city-owned property at 121 Mill St., the latest iteration of these plans focuses on minimal rehabilitation required to make this facility occupiable after recent water damage. The proposed changes to the existing floorplan are limited, with the development budget primarily driven by the need for upgraded bathroom facilities to support the expanded use of a community gathering space and the addition of a kitchen facility.

Funding for this proposal can be sourced from unallocated ARPA funds, future rental savings from the 95 Main St office, and a combination of additional grant funding. In addition, anticipated rental payments from partner organizations such as IRC, the Drop-In Center and other organizations will contribute towards this project.

Yours in Service
Glen E. Holmes



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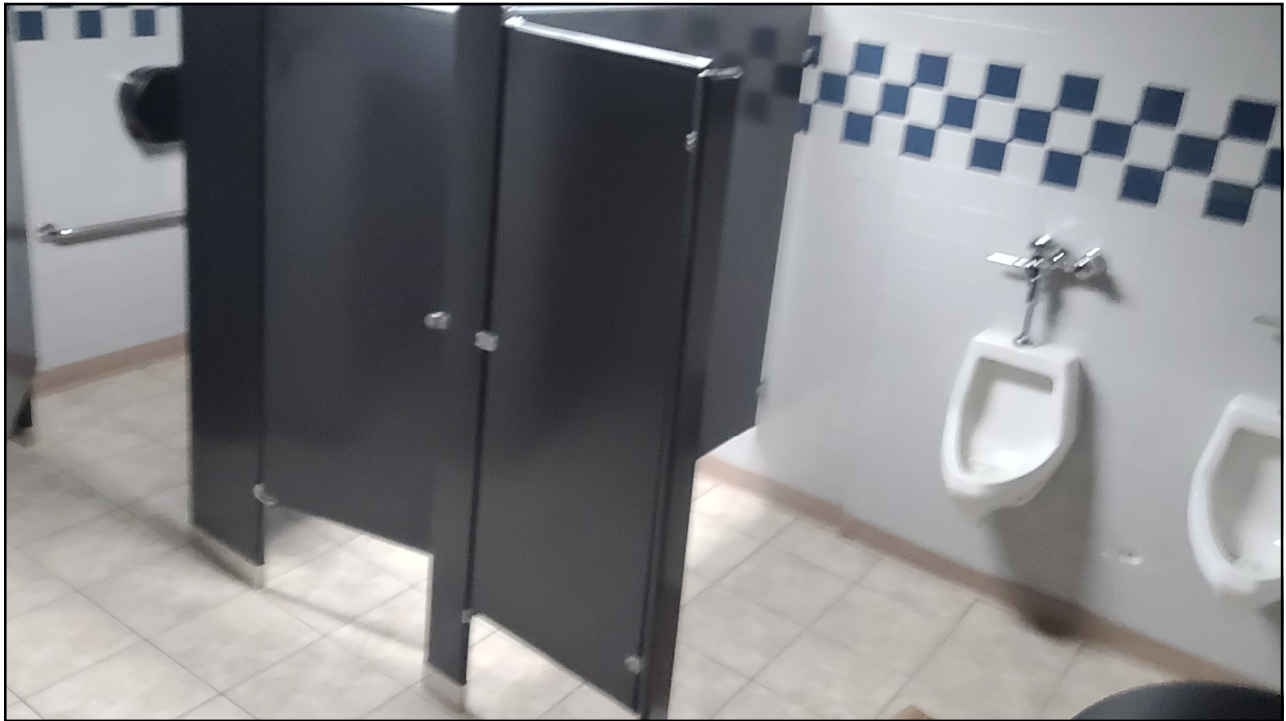
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Project Pro Forma Template

Business & Community Development Office
Auburn, Maine

Project Name:	Mill St Community Resource Center
Address:	121 Mill St Auburn
Developer:	Auburn Business & Community Development
Development Type:	
Total Units (Weeks)	
Total Project (SqFt)	15000

Sources of Funds	Amount	
ARPA Funding	\$630,000	Unallocated and B&CD
Community Solutions Grant	\$250,000	Request change of use
PSDC Rental Revenue	\$18,000	\$1,500 per month
IRC Office Space	\$12,000	\$1,000 per month
Additional Space Rent	\$6,000	\$500 per month
	\$0	
Total Sources of Funds	\$916,000	
Total Expense of Funds	\$915,058	
Budget Surplus or Deficit=	\$942	

Total Development Cost	Amount	Comments
Acquisition Costs	\$0	
Site Work Costs	\$54,500	
Construction / Rehabilitation Costs	\$691,858	
Project Management Costs	\$20,000	
Other Development Costs	\$45,500	
Total Uses of Funds	\$811,858	

Total Operational Cost	Amount	
Admin / Management Expenses	\$0	
Ops and Maintenance Expenses	\$11,400	
Utilities	\$89,300	
Taxes / Insurance / Other Expenses	\$2,500	
Total Uses of Funds	\$103,200	

Development Costs

Mill St Community Resource Center

Cost	Amount	Comment
Acquisition Costs		
Land	\$0	City Owned
Structures	\$0	City Owned
	\$0	
Site Work Costs (not included in construction contract)		
Utility Installation/ Hookup	\$4,500	Reconnection of services
Property fencing	\$50,000	Fencing between AHA & the building (\$100.00 per foot)
	\$0	
	\$0	
Construction / Rehabilitation Costs		
HVAC - Mechanical Services	\$12,024	Quote on hand
Landry/French Build out	\$185,334	Quote on hand
Telephone/IT	\$45,000	City Broadband
Internal improvements Doors/offices	\$24,000	Estimate
Walk-in Freezer/ Cooler & Kitchen & Hood & install	\$200,000	100K install
Roof Repair	\$10,000	repair to extend life
Construction Contingency	\$14,000	Contingency
bathroom reconstruction	\$200,000	\$200/sqft estimate
	\$0	
Fire Safety	\$1,500	Recharge Fire Extinguishers/ Test Sprinkler system
Building Permits and Fees	\$0	
Tax Credit Fees	\$0	
Accounting / Cost Certification / Audit	\$0	
Soft Cost Contingency	\$0	
Project Administration and Management Costs		
Moving Expenses for Relocation	\$12,000	
Tables & Chairs	\$8,000	
Other Development Costs		
new signage (inside and out)	\$5,500	
Security install (cameras & door scanners)	\$40,000	
	\$0	
	\$0	
	\$0	
	\$0	
Total Development Costs		\$811,858

Operating Expenses

Mill St Community Resource Center

Expense	Project Period Cost	Monthly Cost	Weekly	Comment
Admin / Management Expenses				
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
Ops and Maintenance Expenses			\$0	
		\$0	\$0	
Janitorial	\$7,800	\$650	\$0	\$150 per wk based on current
		\$0	\$0	
Garbage Removal	\$3,600	\$300	\$0	\$300/month for 4 yard service
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
		\$0	\$0	
Utilities			\$0	
Electricity	\$67,500	\$5,625	\$0	22.5kwh/sqft X CMP 0.20/kwh
Sewer	\$5,600	\$467	\$0	3,200 gallons per day
Water	\$16,200	\$1,350	\$0	3,200 gallons per day
		\$0	\$0	
Taxes / Insurance / Other Expenses			\$0	
Real Estate Taxes	\$0	0	\$0	City Owned
Payroll Taxes	\$0	0	\$0	No increase
Other Taxes and Licenses	\$0	0	\$0	None that we know of
Property Insurance Rider	\$2,500	0	\$0	Estimated
Workers Compensation Insurance	\$0	0	\$0	No increases
Health Insurance / Employee Benefits	\$0	0	\$0	No increases
		0	\$0	
		0	\$0	
			\$0	
SUBTOTAL ADMINISTRATIVE EXPENSES	\$0	\$0	\$0	
SUBTOTAL O&M EXPENSES	\$11,400	\$950	\$0	
SUBTOTAL OWNER PAID UTILITIES	\$89,300	\$7,442	\$0	
SUBTOTAL TAXES / INSURANCE / OTHER	\$2,500	\$0	\$0	
TOTAL OPERATING EXPENSES	\$103,200	\$8,392	\$0	

June 14, 2024



Derek Boulanger
City of Auburn
60 Court Street
Auburn, ME 04210

RE: 121 Mill Street Renovation Auburn, ME

Derek-

Per your request and utilizing the plan provided, for the 121 Mill Street Renovation, Landry/French has developed an initial project cost this project would cost \$160,161.00 with an estimated duration of 4 weeks total. Also, to better clarify our understanding of the work, please see our attached clarification letter.

As always, please don't hesitate to reach out with questions/concerns and we look forward to hearing from you on the project, its next steps and timing.

Thank you,

A handwritten signature in blue ink, appearing to read "Ian McCracken", with a long, sweeping horizontal line extending to the right.

Ian McCracken
Senior Estimator

EXHIBIT A-4

CLARIFICATIONS & QUALIFICATIONS



PROJECT: 121 Mill Street
PROJECT ADDRESS: 121 Mill Street Auburn, ME
DATE: 6/13/2024

GENERAL QUALIFICATIONS

1. Project completion and start date are contingent upon proof of financing, execution of final contracts/exhibits and receipt of all applicable permits.
2. A [4]-week on-site construction schedule is anticipated, without material or weather delays.
3. Assumes free and clear access to the project site.
4. Normal working hours are the basis for labor costs. Premium time and shift differential expenses are not included.
5. Includes General Liability, Workers Compensation, Automobile Insurance, Excess Liability Insurance, – all of which shall be stipulated percentage amounts.
6. Builder's Risk insurance costs are by Others. Landry/French and its subcontractors to be named as additional insured on the owner secured Builder's Risk Policy.
7. Includes a [3.0]% Construction Contingency. We assume that the Owner has carried appropriate design contingency commensurate with the status of the project documents, inclusive of escalation.
8. Excludes Escalation.
9. Excludes a Performance & Payment Bond.
10. Excludes the Building Permit Fees.
11. Includes a 5.5% Maine Sales Tax.
12. Includes a construction final cleaning.
13. While we include coordination with utility companies, we exclude the impacts from late delivery and installation of required infrastructure (temporary or permanent) by utility companies including but not limited to electrical transformers, relocation of overhead power cables, installation of meters, and / or installation of gas services and living of power, gas, water, and the like.
14. We have assumed all utility company backcharges, user fees and connection fees will be paid for by the Owner.
15. Temporary utility access will be off existing facility systems. All consumption charges are by Others. These include temporary power and temporary water. We have included the necessary utility consumption charges and fees for temporary utilities for the project including power, water, and high-speed internet.
16. Excludes a Weather Conditions allowance for work that may be required due to adverse weather conditions such as snow/ice/rain/frost removal, temporary heating, cooling and dehumidification, admixtures for concrete, temporary tarps, blankets and related carpentry. We may use the permanent HVAC system for a source of temporary heating and/or cooling. The costs required to run these systems (including but not limited to all utilities, labor, material, stand-by labor and equipment) and the cost to refurbish the equipment (including labor, materials, extended warranties, filter replacement, and ductwork cleaning) will be charged against the adverse weather conditions allowance.
17. The GMP constitutes a "bottom line cost guarantee" – no individual subtotal, line item, or cost component is guaranteed by the Contractor.

18. Alternates outlined within the GMP Exhibit A-2, and that are not accepted in the final GMP estimate, are valid for 30 days; after which they will be reviewed for pricing and schedule impacts.
19. Excludes requirements, associated costs or impacts for PPE above Level D.
20. Excludes design services and fees, engineering, third party inspections, testing and evaluations.
21. Excludes mock-ups, unless specifically called for in individual specification sections or noted above.
22. Excludes receipt and storage of typical Owner/Occupant equipment and/or furniture. Installation is included per responsibility matrix.
23. Excludes the handling and/or removal of hazardous/mold or unsuitable materials.
24. Excludes the handling and/or removal of any hazardous/mold or regulated materials including but limited to ACM, PCBs, regulated soils, and mold).
25. Excludes a Preconstruction Survey.
26. Excludes ledge and/or obstruction removal (including rock or large boulders).
27. Excludes seismic calculations and restraints for mechanical, plumbing, electrical, and acoustical ceilings.
28. Excludes any assumed warranties and guarantees of any other work not performed under contract by Landry/French or that exceeds those listed by manufacturer.
29. All existing materials stored inside the building must be removed in order for us to install flooring and acoustical tile.

DIV 02 EXISTING CONDITIONS

1. Misc. wood base removal, removal of back stair which is being replaced.

DIV 03 CONCRETE

1. No scope of work – NOT USED.

DIV 04 MASONRY

1. No scope of work – NOT USED.

DIV 05 METALS

1. No scope of work – NOT USED.

DIV 06 WOOD, PLASTICS, AND COMPOSITES

1. Miscellaneous door trim at (5) doors
 2. New PT set of stairs/porch, and railing at exterior door.
-

DIV 07 THERMAL AND MOISTURE PROTECTION

1. No scope of work – NOT USED.
-

DIV 08 OPENINGS

1. No scope of work – NOT USED.
-

DIV 09 FINISHES

1. Drywall- insulate, hang and tape up to 2' at bottom of wall where sheet rock is removed due to water damage.
 2. Flooring – supply and install new carpet tile and 4" vinyl cove base.
 3. We have incurred an allowance of \$5,250 for any floor patching that may need to be done.
 4. Acoustical ceilings – supply and install new CertainTeed BET-197 2'x4' flat ceiling tile into existing grid, approximately 5,472 sqft. of BET-197 and 1 carton of BQCL224 which is a 2'x4' tegular tile (at entrance lobby). Includes replacement of (2) mains and (20) 4' tees.
 5. Paint – rooms to be painted are West Open Office, Training Room, Hall, East Open office and IT room (IT room not shown on plan)
-

DIV 10/11/12 SPECIALTIES, EQUIPMENT, & FURNISHINGS

1. No scope of work – NOT USED.
-

DIV 13 SPECIAL CONSTRUCTION

1. No scope of work – NOT USED.
-

DIV 14 CONVEYING SYSTEMS

1. No scope of work – NOT USED.
-

DIV 21 FIRE PROTECTION

1. No scope of work – NOT USED.
-

DIV 22 PLUMBING

1. We have incurred an Allowance of \$10,000.00 for investigation of plumbing damage and repair.
-

DIV 23 HVAC

1. No scope of work – NOT USED.
-

DIV 26/27/28 ELECTRICAL

1. No scope of work – NOT USED.
-

DIV 31/32/33 SITEWORK & SITE IMPROVEMENTS

1. No scope of work – NOT USED.
-

END OF DOCUMENT



**MECHANICAL
SERVICES, INC.**
MAINE CONTROLS
mechanicalservices.com

400 PRESUMPSCOT STREET
PORTLAND, ME 04103

TEL. (207) 774-1531
FAX (207) 774-3837

72 FREEDOM PARKWAY
HERMON, ME 04401

TEL. (207) 947-6250
FAX (207) 848-5592

525 CENTRAL DRIVE
PRESQUE ISLE, ME 04769

TEL. (207) 554-1212
FAX (207) 762-6088

40 GABRIEL DRIVE
AUGUSTA, ME 04330

TEL. (207) 626-0822
FAX (207) 621-1008

PROPOSAL and CONTRACT

Customer:	City of Auburn	Contact:	Gary Wadsworth
Address:	60 Court Street Auburn, ME 04210		
Job Location:	121 Mill Street	SE#: 46253 & 46254	Date: June 14, 2024

DESCRIPTION OF SERVICES COVERED BY THIS CONTRACT:

ITEM 1: Replace RTU-1 Heat Exchanger: Mechanical Services, Inc. shall provide labor and materials to replace the heat exchanger in roof top unit #1 at 121 Mill Street, Auburn. During a service inspection, it was discovered that the existing heat exchanger and inducer motor needed replacement.

This work shall include removal of the existing heat exchanger, support bracket, flame retainer and draft inducer motor, installation of the new heat exchanger, support bracket, flame retainer and draft inducer motor. Once the repairs have been completed, we shall return the unit to operation and perform an operational check of the unit in heating mode.

ITEM 1: COST FOR THIS PROPOSED WORK SHALL BE:

Six Thousand One Hundred Forty-Eight Dollars (\$6,148.00)

This proposal requires a deposit of ____% or \$ _____. The balance will be invoiced at completion unless specified otherwise. Any additional work will be performed upon written authorization and will be invoiced separately from work described above.

ITEM 2: Replace RTU 7 Heat Exchanger: Mechanical Services, Inc. shall provide labor and materials to replace the heat exchanger in roof top unit #7 at 121 Mill Street, Auburn. During a service inspection, it was discovered that the existing heat exchanger and burner assembly needed replacement.

This work shall include removal of the existing heat exchanger, support bracket, flame retainer and burner assembly, installation of the new heat exchanger, support bracket, flame retainer and burner assembly. Once the repairs have been completed, we shall return the unit to operation and perform an operational check of the unit in heating mode.

ITEM 2: COST FOR THIS PROPOSED WORK SHALL BE:

Four Thousand Seven Hundred Eighty-Three Dollars (\$4,783.00)

This proposal requires a deposit of ____% or \$ _____. The balance will be invoiced at completion unless specified otherwise. Any additional work will be performed upon written authorization and will be invoiced separately from work described above.

THE FOLLOWING WORK IS NOT INCLUDED IN THIS PROPOSAL:

- The handling or disposal of, or any costs associated with the handling or disposal of, hazardous materials, special waste, or mold, or any byproduct thereof.
- Unless specifically provided for herein, Mechanical Services, Inc. is not responsible for the structural integrity of any portion or aspect of the building where this work will be performed, including the ability of the structure to support the load of the equipment being installed.
- All extra service to correct problems found during work described above.

WARRANTY: For a period of one year from the date of start-up, all parts and labor for new equipment provided by Mechanical Services, Inc.

Heating • Air Conditioning • Refrigeration • Ventilation • Boiler & Duct Cleaning • Temperature Controls & Energy Management Systems
Systems Design & Installation • Access Control & Video Monitoring • Preventive Maintenance • 24/7 Emergency Service

THIS PROPOSAL IS VALID FOR 30 DAYS.

Customer signature below attests to financial responsibility for payment of invoices in accordance with our terms of net 30 days. A finance charge of 1½% per month (annual percentage rate of 18%) will be charged on all amounts due and unpaid 30 days from invoice date. **Mechanical Services, Inc.** shall be entitled to recover from the customer all costs incurred, including reasonable attorney fees, for the collection of any amounts due. All non-public, confidential or proprietary information of Mechanical Services, Inc., including, but not limited to, the scope and terms of this proposal, engineering processes, equipment selection, system sizing, operational sequences, trade secrets, technology, information pertaining to business operations and strategies, or information pertaining to pricing (collectively, "Confidential Information"), disclosed by Mechanical Services, Inc., whether disclosed orally or disclosed or accessed in written, electronic or other form or media, and whether or not marked, designated or otherwise identified as "confidential," in connection with this proposal or the provision of services hereunder is confidential, and shall not be disclosed or copied without the prior written consent of Mechanical Services, Inc.

Prepared By:

Signature Travis Wheeler, P.E. Title: General Manger Date: _____

ACCEPTANCE

Mechanical Services, Inc. is hereby authorized to perform the work as described in this proposal.

Accepted By: (typed or printed name) _____

Signature Title: _____ Date: _____

Please indicate which ITEM (S) you would like to have performed:

ITEM 1: Replace RTU-1 Heat Exchanger: _____

ITEM 2: Replace RTU 7 Heat Exchanger: _____

AUBURN SEWERAGE DISTRICT

RATE SCHEDULE

Effective November 1, 2022

CAPACITY DEMAND CHARGE:

All ratepayers will be subject to a demand charge for recovery of expenses associated with capital infrastructure (fixed cost). These expenses include the initial cost of collector sewers, pump stations and treatment facilities. The capacity demand charge will be based on the size of the domestic water meter. Rates are as follows:

<u>Meter Size</u>	<u>Quarterly Rates</u>	<u>Monthly Rates</u>
5/8"	\$51.64	\$17.21
3/4"	\$74.36	\$24.79
1"	\$132.22	\$44.07
1 1/2"	\$297.50	\$99.16
2"	\$528.86	\$176.28
3"	\$1,214.28	\$404.76
4"	\$2,115.46	\$705.16
6"	\$4,759.77	\$1,586.59

USAGE RATE:

All ratepayers will be subject to a usage charge for the recovery of expenses associated with the collection and treatment of wastewater (variable cost). There is no minimum for metered water used. The user charge will be based on the actual volume generated. The usage rate will be:

\$ 3.46 per 100 cubic feet (or 748 gallons) in Auburn

\$ 4.15 per 100 cubic feet (or 748 gallons) in Poland

FLAT SEWER:

Seasonal households with a connection to public sewer that do not have a meter, will pay a quarterly flat sewer fee of:

\$ 86.43 per quarter

INDUSTRIAL SURCHARGE FEE:

A surcharge over and above the regular usage charge will be assessed to industrial and commercial users who discharge higher than average concentrations of sewerage into the collection system. Surcharge will be established by sampling the effluent discharged.

BOD @ \$ 0.148 per Pound of BOD above 250 mg/l

TSS @ \$ 0.199 per Pound of TSS above 300 mg/l

SEWER CONNECTION INSPECTION PERMIT:

A sewer connection inspection fee shall be charged for each connection made to the sewer collection system. The sewer connection inspection fee shall be: **\$50.00 per connection**

Auburn Water District Rate & Fee Schedule

Effective July 19, 2023

Water Rates (Cubic Feet)			
Minimum Charge		0 – 600 CF	\$49.50
		601 – 4,999 CF	\$49.50 plus \$8.13 per 100 CF over 601 CF
		≥ 5,000 CF	\$407.22 plus \$10.94 per 100 CF over 5,000 CF
Annual Fire Protection Charges (replaces sprinkler charge)			
Pipe Diameter		Charge	Pipe Diameter Charge
2-inch		\$180	6-inch \$540
2.5-inch		\$225	8-inch \$720
3-inch		\$270	10-inch \$900
4-inch		\$360	
Private Fire Hydrant Charges			
\$25 per hydrant per quarter			
Entrance Fees			
Domestic Services		Fire Protection Services	
¾-inch and 1-inch	\$3,500	4-inch	\$6,500
1.5-inch	\$4,000	6-inch	\$8,500
2-inch	\$4,500	8-inch	\$10,500
4-inch	\$6,500	10-inch	\$12,500
All domestic services over 1-inch require backflow protection.			
All Fire Protection Services systems require backflow protection.			
All underground irrigation systems require backflow protection.			
Miscellaneous Fees			
Application for Connection (First Dwelling or Commercial Unit served by a single meter)	\$3,500	Covers ability to connect only, does not include inspection, meter or other fees. 1-inch domestic connection fee.	
Application for Connection (Each Additional Dwelling or Commercial Unit served by the same meter)	\$3,500	Covers ability to connect only, does not include inspection, meter or other fees. 1-inch domestic connection fee.	
Service Call (regular business hours)	\$60	Per call.	
Remove/Install a Seasonal Meter	\$60	Fee to remove and store, no charge to re-install.	
Labor Rate (regular business hours)	\$60	Per employee per hour, billed in half hour intervals.	
Labor Rate (outside regular business hours)	\$90	Per employee per hour, 2-hour minimum charge, then billed in half hour intervals.	
Backhoe Rate (regular business hours)	\$65	Per hour, billed in half hour intervals.	
Backhoe Rate (outside regular business hours)	\$130	Per hour, billed in half hour intervals.	

ARPA FUNDS TO BE REALLOCATED

PROJECT	TITLE	BALANCE REMAINING	NOTES
6	Lake Grove Municipal Beach	\$ 20,448.91	
18	Planning & Permitting - SmartGov	\$ 55,445.02	
20	Fire Truck	\$ 1,425.00	
26	Property Tax Relief	\$ 6,722.58	
27	Accessory Dwelling Unit Development	\$ 13.73	
29	Downtown Curb Appeal	\$ 214,635.64	
31	Neighborhood Corner Store	\$ 17,656.59	
32	Heating Assistance	\$ 35,000.00	
33	Engine 2 - Land Purchase	\$ 25,000.00	
36	Auburn Commercial Agriculture Incentive Program	\$ 38,419.65	
38	NSBA - HVAC/Exhaust	\$ 68,000.00	
39	Third Space	\$ 65,935.71	
	TOTAL TO BE RE-ALLOCATED	\$ 548,702.83	
	Housing audit	\$ 70,000.00	
	Food Insecurity	\$ 40,000.00	
		\$ 110,000.00	
	BALANCE	\$ 438,702.83	



ORDER 89-07012024

City Council Order

IN CITY COUNCIL

Ordered, that the City Council authorizes the repurposing of the city owned 121 Mill Street building as a community resource center.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 90-07012024

City Council Order

IN CITY COUNCIL

Ordered, that the City Council authorizes the relocation of the current Business & Community Development Department to 121 Mill Street and increases the current American Rescue Plan Act (ARPA) allocation by \$438,702.83.

Richard S. Whiting, Ward One
Benjamin J. Weisner, Ward Four
Belinda A. Gerry, At Large

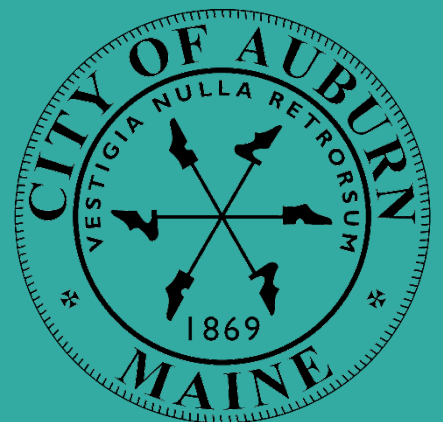
Timothy M. Cowan, Ward Two
Leroy G. Walker, Sr., Ward Five
Jeffrey D. Harmon, Mayor

Stephen G. Milks, Ward Three
Adam R. Platz, At Large
Phillip L. Crowell, Jr., City Manager

Monthly Financial Report

May 2024

Authored by: Kelsey Earle



To: Honorable Mayor, Members of the City Council and City Manager
Subject: Financial Report for the Month Ending May 31, 2024

I respectfully submit the financial summaries of the revenue and expenditure activities for the City during the month ending May 31, 2024.

Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department. The City has completed its seventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.66% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

General Fund Highlights

Revenues

- Total revenues collected through May 2024 were **\$102.5M** or **90.56%** of budgeted general fund revenue, as compared to **\$100M** of actual revenues through May 2023.

- Year-to-date tax revenues of **\$50.3M** were **2.70% higher** than the prior year.

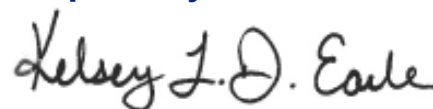
- Increases resulted most significantly from investment returns and revenue share.

Expenditures

- Expenditures through May 2024 were **\$84.1M** or **73.78%** of the budget, as compared to **\$87.7M** of actual expenditures through May 2023.

- Insurance costs were less than budgeted both in projected deductibles and in employer costs.

Respectfully submitted,

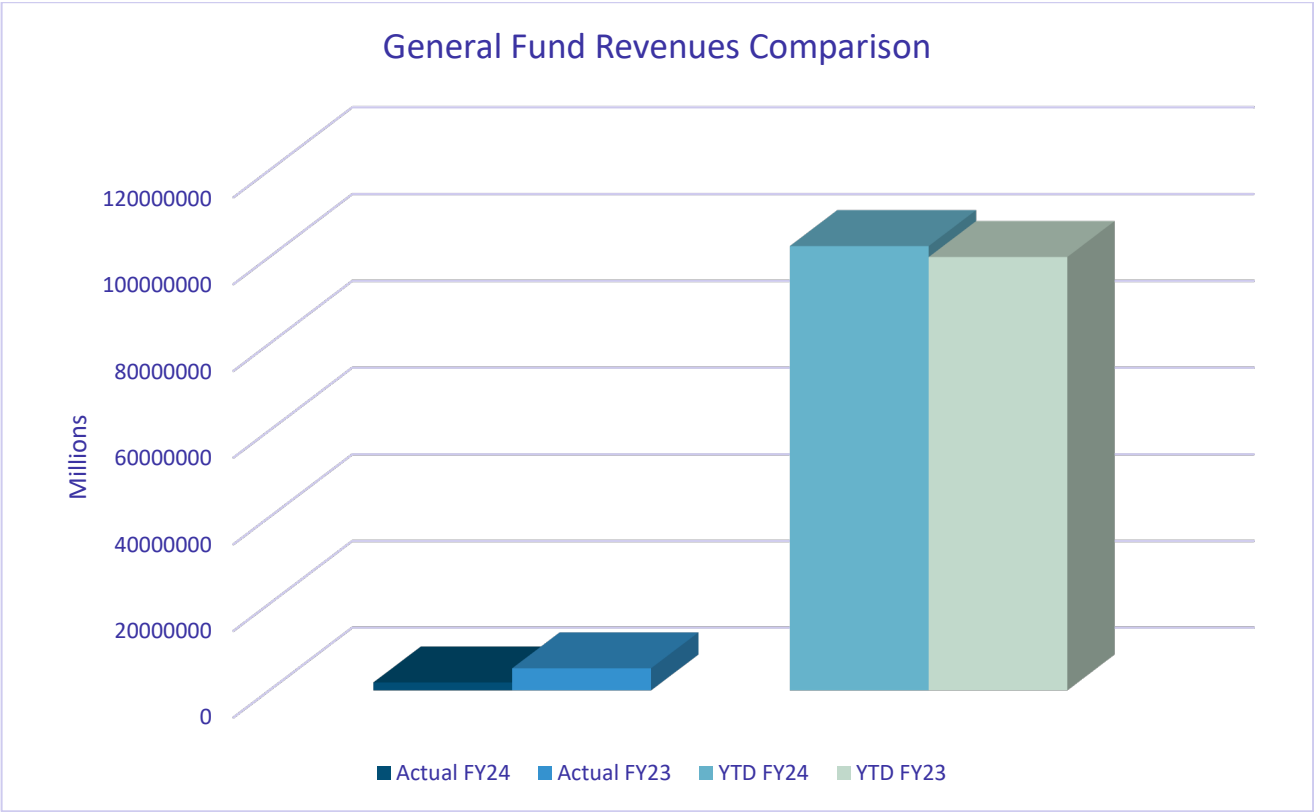


Kelsey L. D. Earle

Finance Director

General Fund

for the Period Ended May 31, 2024



Monthly Budget Report - Revenues May



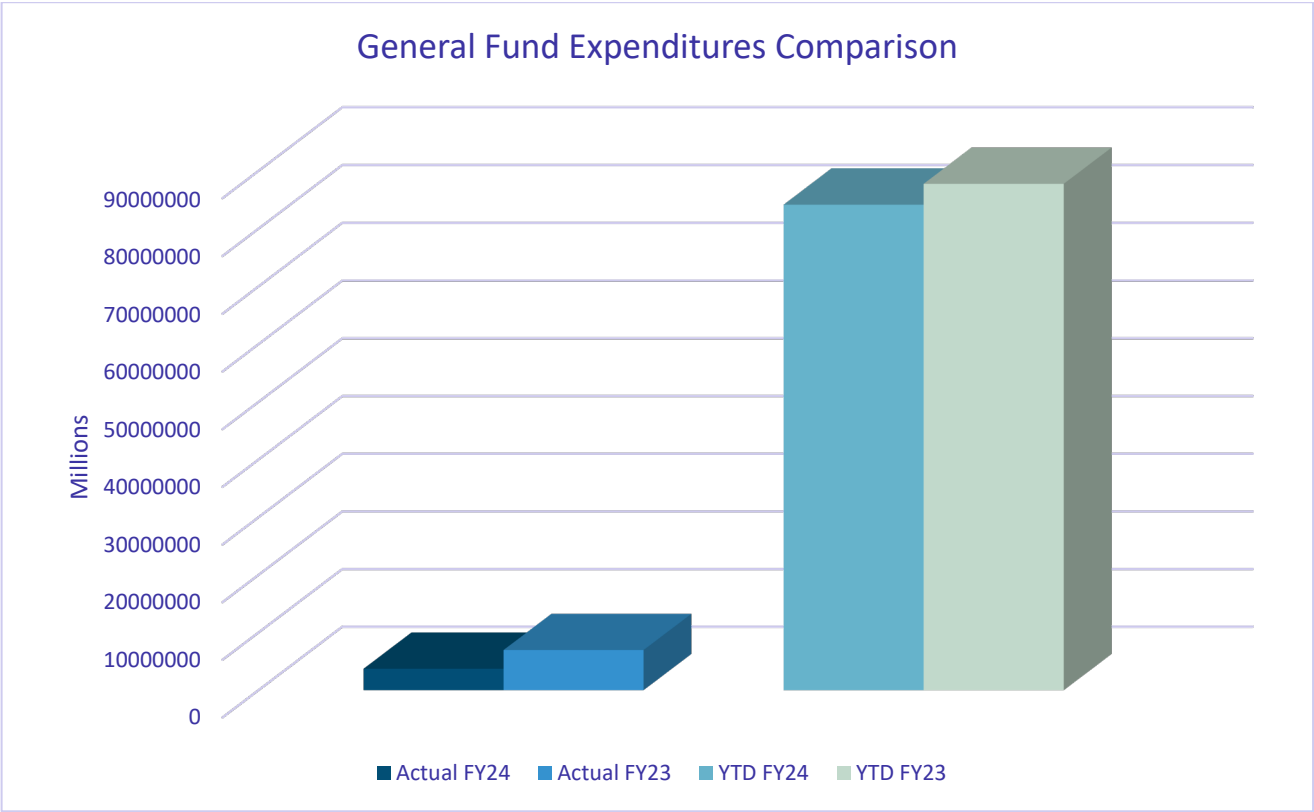
Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD		Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	% Used	
1000 General Fund		0.00	(1,847,543.62)	100.00%	(5,114,219.28)	100.00%	(113,232,692.00)	(102,539,009.29)	90.56%	(100,011,970.49)	93.43%	2,527,038.80
0006 Communications & Technology		0.00	0.00	0.00%	(200.00)	100.00%	(40,000.00)	0.00	0.00%	(53.03)	100.00%	(53.03)
0007 City Clerk		0.00	(36,447.56)	100.00%	(26,699.75)	100.00%	(273,300.00)	(272,421.12)	99.68%	(297,974.87)	132.61%	(25,553.75)
0008 Finance		0.00	(1,656,450.41)	100.00%	(1,972,114.78)	100.00%	(71,270,502.00)	(65,238,544.40)	91.54%	(64,262,726.00)	94.67%	975,818.40
0011 Economic Development		0.00	0.00	0.00%	43,095.00	100.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0012 Planning & Permitting		0.00	(16,857.75)	100.00%	(12,263.75)	100.00%	(211,000.00)	(220,016.91)	104.27%	(167,911.08)	80.53%	52,105.83
0042 Public Works		0.00	(60.00)	100.00%	(2,970.00)	100.00%	(430,450.00)	(516,997.00)	120.11%	(440,749.00)	102.16%	76,248.00
0015 Facilities		0.00	(14,157.50)	100.00%	(3,665.00)	100.00%	(95,000.00)	(40,469.96)	42.60%	(23,202.61)	24.42%	17,267.35
0021 Fire & EMS Transport		0.00	0.00	0.00%	(35.00)	100.00%	(100.00)	(55.00)	55.00%	(125.00)	125.00%	(70.00)
0022 Police		0.00	(4,775.00)	100.00%	(4,735.00)	100.00%	(48,200.00)	(54,944.23)	113.99%	(101,800.29)	50.22%	(46,856.06)
0023 Fire EMS Transport		0.00	(53,230.13)	100.00%	(124,901.04)	100.00%	(1,465,000.00)	(1,477,096.34)	100.83%	(1,535,296.22)	113.73%	(58,199.88)
0025 Information Technology		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	(150.76)	100.00%	(150.76)
0031 Health and Social Services		0.00	(65,761.27)	100.00%	0.00	0.00%	(125,000.00)	(364,106.63)	291.29%	(79,233.14)	94.42%	284,873.49
0043 Solid Waste Disposal		0.00	196.00	100.00%	(441.00)	100.00%	0.00	(50,290.17)	100.00%	(52,582.00)	100.00%	(2,291.83)
0046 PW School Maint & Custodial		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0056 LA Transit Committee		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0070 Education		0.00	0.00	0.00%	(3,009,288.96)	100.00%	(39,274,140.00)	(34,304,067.53)	87.35%	(33,050,166.49)	90.38%	1,253,901.04
Grand Total:		0.00	(1,847,543.62)	100.00%	(5,114,219.28)	100.00%	(113,232,692.00)	(102,539,009.29)	90.56%	(100,011,970.49)	93.43%	2,527,038.80

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2023 - June 30, 2024
Report as of May 31, 2024

	Beginning Balance 5/1/2024	May 2024					Write-Offs	Ending Balance 5/31/2024
		New Charges	Payments	Refunds	Adjustments			
Attorney/In care of	\$ (16.75)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (16.75)
Bluecross	\$ 67,473.95	\$ 11,278.00	\$ (4,057.70)	\$ -	\$ (1,658.01)	\$ -	\$ -	\$ 73,036.24
Intercept	\$ (1,969.40)	\$ 200.00	\$ (300.00)	\$ -	\$ -	\$ -	\$ -	\$ (2,069.40)
Medicare	\$ 449,973.50	\$ 209,676.00	\$ (81,262.76)	\$ -	\$ (144,863.03)	\$ -	\$ -	\$ 433,523.71
Medicaid	\$ (132,760.63)	\$ 70,547.40	\$ (57,431.87)	\$ -	\$ (39,774.68)	\$ -	\$ -	\$ (159,419.78)
Other/Commercial	\$ 129,931.29	\$ 27,458.00	\$ (18,983.86)	\$ -	\$ (761.10)	\$ -	\$ -	\$ 137,644.33
Patient	\$ 9,964.02	\$ 17,826.00	\$ (16,185.23)	\$ -	\$ (1,827.33)	\$ (13,755.80)	\$ -	\$ (3,978.34)
Worker's Comp	\$ (12,994.21)	\$ 1,224.00	\$ (984.00)	\$ -	\$ -	\$ -	\$ -	\$ (12,754.21)
TOTAL	\$ 509,601.77	\$ 338,209.40	\$ (179,205.42)	\$ -	\$ (188,884.15)	\$ (13,755.80)	\$ -	\$ 465,965.80

General Fund

for the Period Ended May 31, 2024



Monthly Budget Report - Expenditures - May



Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD		Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	% Used	
1000 General Fund		0.00	3,720,206.72	100.00%	6,966,328.34	100.00%	114,062,294.66	84,156,276.67	73.78%	87,762,361.43	81.57%	(3,606,084.76)
0000 Unassigned		0.00	0.00	0.00%	0.00	0.00%	62,500.00	62,500.00	100.00%	0.00	0.00%	62,500.00
0004 Mayor and Council		0.00	2,483.31	100.00%	4,122.31	100.00%	174,696.33	176,780.63	101.19%	157,193.91	88.90%	19,586.72
0005 City Manager		0.00	35,392.12	100.00%	39,519.70	100.00%	719,509.00	625,735.62	86.97%	424,097.41	80.31%	201,638.21
0006 Communications & Technology		0.00	38,067.57	100.00%	(3,272.94)	100.00%	361,522.00	301,186.77	83.31%	138,911.25	59.77%	162,275.52
0007 City Clerk		0.00	50,913.56	100.00%	21,847.63	100.00%	299,253.76	302,366.08	101.04%	236,172.84	84.50%	66,193.24
0008 Finance		0.00	72,836.43	100.00%	80,670.42	100.00%	1,228,278.00	1,214,802.99	98.90%	1,018,834.55	89.13%	195,968.44
0009 Human Resources		0.00	23,579.60	100.00%	17,495.39	100.00%	246,260.00	228,002.21	92.59%	193,468.46	87.11%	34,533.75
0010 Planning & Permitting		0.00	83,155.58	100.00%	54,306.08	100.00%	717,461.00	673,652.46	93.89%	657,089.04	88.15%	16,563.42
0011 Economic Development		0.00	17,519.03	100.00%	21,414.80	100.00%	123,893.00	173,912.47	140.37%	256,939.37	89.65%	(83,026.90)
0012 Planning & Permitting		0.00	250.00	100.00%	0.00	0.00%	0.00	2,375.00	100.00%	0.00	0.00%	2,375.00
0013 Business & Community Developme		0.00	43,324.62	100.00%	17,786.53	100.00%	710,692.00	349,182.85	49.13%	258,618.70	38.52%	90,564.15
0042 Public Works		0.00	503,267.65	100.00%	412,483.52	100.00%	6,511,956.04	5,502,836.67	84.50%	4,884,213.83	83.27%	618,622.84
0015 Facilities		0.00	10,540.44	100.00%	(310.64)	100.00%	0.00	10,614.89	100.00%	21,538.11	90.60%	(10,923.22)
0016 Worker's Compensation		0.00	0.00	0.00%	0.00	0.00%	715,400.00	715,400.00	100.00%	698,000.00	100.00%	17,400.00
0017 Fringe Benefits & Salary Incre		0.00	680,469.92	100.00%	526,848.48	100.00%	8,377,629.00	6,398,863.64	76.38%	5,963,930.54	75.11%	434,933.10
0018 Emergency Reserve		0.00	0.00	0.00%	0.00	0.00%	550,000.00	0.00	0.00%	0.00	0.00%	0.00
0019 Debt Service		0.00	0.00	0.00%	0.00	0.00%	8,334,544.00	8,368,514.13	100.41%	8,394,861.24	100.40%	(26,347.11)
0020 Capital Investment & Purchasin		0.00	26,100.30	100.00%	65,981.12	100.00%	834,613.18	612,994.71	73.45%	543,651.82	80.84%	69,342.89
0021 Fire & EMS Transport		0.00	633,671.93	100.00%	396,068.30	100.00%	6,367,748.65	5,896,367.70	92.60%	5,004,980.73	87.42%	891,386.97
0022 Police		0.00	492,889.95	100.00%	321,096.89	100.00%	5,228,357.94	4,740,650.65	90.67%	4,203,984.35	84.70%	536,666.30
0023 Fire EMS Transport		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0025 Information Technology		0.00	39,176.91	100.00%	31,768.41	100.00%	985,540.76	814,389.24	82.63%	676,836.72	81.84%	137,552.52
0030 Recreation		0.00	37,855.85	100.00%	41,576.01	100.00%	723,631.00	604,005.46	83.47%	579,550.61	75.52%	24,454.85
0031 Health and Social Services		0.00	80,171.51	100.00%	35,373.92	100.00%	180,825.00	790,523.45	437.18%	232,538.92	193.98%	557,984.53
0043 Solid Waste Disposal		0.00	134,135.23	100.00%	238,825.00	100.00%	1,411,000.00	1,250,684.84	88.64%	1,096,376.00	83.06%	154,308.84
0044 Transportation		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0040 Public Works		0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00%	0.00
0045 County Tax		0.00	0.00	0.00%	0.00	0.00%	2,972,037.00	2,972,037.00	100.00%	2,761,220.00	100.00%	210,817.00
0046 PW School Maint & Custodial		0.00	71,914.36	100.00%	0.00	0.00%	0.00	271,173.46	100.00%	0.00	0.00%	271,173.46
0049 Auburn Arts in the Park		0.00	0.00	0.00%	0.00	0.00%	20,000.00	20,000.00	100.00%	30,000.00	100.00%	(10,000.00)
0050 Public Library		0.00	156,418.80	100.00%	90,370.00	100.00%	1,138,659.00	1,105,360.56	97.08%	994,070.00	91.67%	111,290.56
0051 Transfer to TIF		0.00	0.00	0.00%	0.00	0.00%	3,049,803.00	2,951,315.15	96.77%	2,479,087.54	81.29%	472,227.61
0052 Water & Sewer		0.00	0.00	0.00%	0.00	0.00%	792,716.00	781,203.28	98.55%	585,902.46	73.91%	195,300.82
0053 Tax Sharing		0.00	0.00	0.00%	229,135.00	100.00%	260,000.00	0.00	0.00%	229,135.00	88.13%	(229,135.00)
0054 Auburn-Lewiston Airport		0.00	(5,324.97)	100.00%	(696.14)	100.00%	205,000.00	206,727.00	100.84%	206,306.06	100.64%	420.94
0056 LA Transit Committee		0.00	0.00	0.00%	0.00	0.00%	400,079.00	389,797.00	97.43%	431,811.00	100.00%	(42,014.00)
0057 LA-911		0.00	491,397.02	100.00%	0.00	0.00%	1,287,401.00	1,456,958.33	113.17%	913,284.63	75.00%	543,673.70
0070 Education		0.00	0.00	0.00%	4,323,918.55	100.00%	59,071,289.00	34,185,362.43	57.87%	43,489,756.34	78.03%	(9,304,393.91)
Grand Total:		0.00	3,720,206.72	100.00%	6,966,328.34	100.00%	114,062,294.66	84,156,276.67	73.78%	87,762,361.43	81.57%	(3,606,084.76)

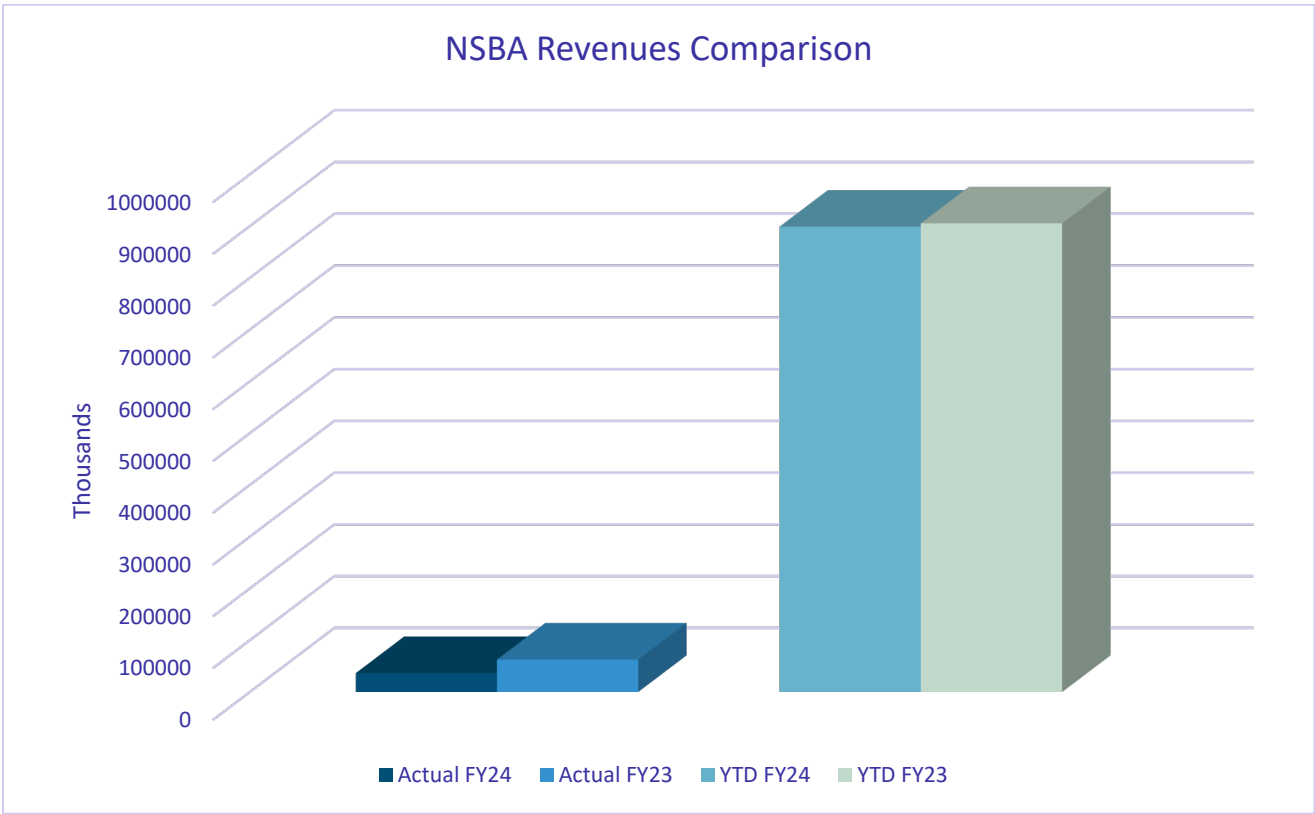
Norway Savings Bank Arena

for the Period Ended May 31, 2024

As of May 2024, Norway Arena had an operating gain YTD of \$149,338, representing a \$67,702 increase from the same period in April.

Revenues:

The operating revenues for Norway Arena through May 2024 are \$898,730. This revenue comes from concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals. Table 1 reflects revenues collected for the current year with comparison for the same period a year ago. Total revenues represent a 0.71% decrease over May FY23, resulting primarily from reductions from Adult and Youth leagues, and CMCC rental.

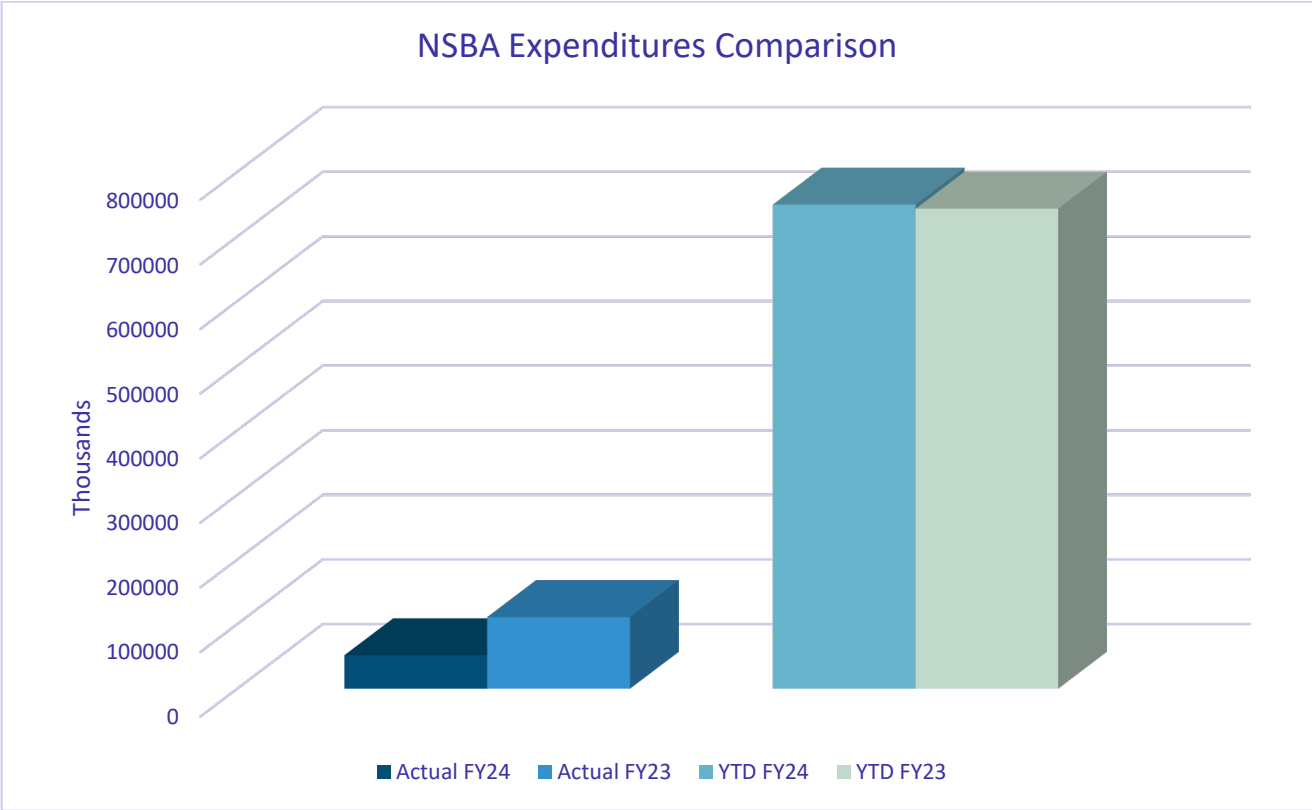


Monthly Budget Report - Revenues - May

Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD	Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	
6200 Norway Savings Bank Arena		0.00	(36,326.86)	100.00%	(62,564.59)	100.00%	(1,088,500.00)	(898,730.49)	82.57%	(905,239.39)	\$ (6,508.90)
0065 Norway Savings Bank Arena		0.00	(36,326.86)	100.00%	(62,564.59)	100.00%	(1,088,500.00)	(898,730.49)	82.57%	(905,239.39)	(6,508.90)
		0.00	(36,326.86)	100.00%	(62,564.59)	100.00%	(1,088,500.00)	(898,730.49)	82.57%	(905,239.39)	(6,508.90)
6200 4201	Gladiators	0.00	0.00	0.00%	(16,823.34)	100.00%	(260,000.00)	(277,126.05)	106.59%	(251,757.78)	25,368.27
6200 4202	EL Ice	0.00	0.00	0.00%	0.00	0.00%	(22,500.00)	(15,190.00)	67.51%	(21,560.00)	(6,370.00)
6200 4203	Red Hornet	0.00	0.00	0.00%	0.00	0.00%	(18,500.00)	(15,802.50)	85.42%	(15,802.50)	0.00
6200 4205	St Doms	0.00	0.00	0.00%	0.00	0.00%	(47,000.00)	(44,283.70)	94.22%	(33,279.15)	11,004.55
6200 4206	Poland/Gra	0.00	0.00	0.00%	0.00	0.00%	(19,500.00)	(13,352.50)	68.47%	(15,960.00)	(2,607.50)
6200 4207	CMCC	0.00	0.00	0.00%	0.00	0.00%	(22,500.00)	0.00	0.00%	(20,253.33)	(20,253.33)
6200 4208	SMMHL	0.00	0.00	0.00%	0.00	0.00%	(2,500.00)	0.00	0.00%	0.00	0.00
6200 4209	Adult Leag	0.00	(4,801.66)	100.00%	(16,991.25)	100.00%	(130,000.00)	(107,212.91)	82.47%	(127,805.63)	(20,592.72)
6200 4210	YouthOther	0.00	(2,262.00)	100.00%	0.00	0.00%	(1,500.00)	(6,500.00)	433.33%	(28,607.74)	(22,107.74)
6200 4211	HS/MS Othe	0.00	(418.00)	100.00%	(1,660.00)	100.00%	(15,000.00)	(5,203.00)	34.69%	(3,620.00)	1,583.00
6200 4212	Ice R-Twin	0.00	0.00	0.00%	0.00	0.00%	(60,000.00)	(28,904.00)	48.17%	(1,126.79)	27,777.21
6200 4215	Freestyl	0.00	(100.00)	100.00%	(765.00)	100.00%	(7,500.00)	(2,835.00)	37.80%	(5,955.00)	(3,120.00)
6200 4220	Camps/Clin	0.00	(18,160.00)	100.00%	(8,060.00)	100.00%	(50,000.00)	(29,720.00)	59.44%	(39,070.00)	(9,350.00)
6200 4221	Tournament	0.00	0.00	0.00%	(4,140.00)	100.00%	(50,000.00)	(70,354.46)	140.71%	(70,645.06)	(290.60)
6200 4222	BirthdayPa	0.00	0.00	0.00%	0.00	0.00%	(500.00)	0.00	0.00%	0.00	0.00
6200 4223	Private Re	0.00	(900.00)	100.00%	(3,415.00)	100.00%	(60,000.00)	(24,926.67)	41.55%	(22,610.00)	2,316.67
6200 4224	Public Ska	0.00	0.00	0.00%	(835.00)	100.00%	(20,000.00)	(10,157.50)	50.79%	(22,585.00)	(12,427.50)
6200 4225	ShinnyHock	0.00	(370.00)	100.00%	(870.00)	100.00%	(4,000.00)	(6,655.00)	166.38%	(2,730.00)	3,925.00
6200 4240	Programs	0.00	(1,595.00)	100.00%	0.00	0.00%	(20,000.00)	(1,595.00)	7.98%	0.00	1,595.00
6200 4250	NonIceFac	0.00	0.00	0.00%	(5,000.00)	100.00%	(55,000.00)	(30,850.00)	56.09%	(39,016.94)	(8,166.94)
6200 4252	Skates	0.00	0.00	0.00%	(220.00)	100.00%	(6,000.00)	(3,905.00)	65.08%	(2,965.00)	940.00
6200 4260	Concession	0.00	0.00	0.00%	0.00	0.00%	(16,500.00)	(13,000.00)	78.79%	0.00	13,000.00
6200 4261	PepsiMachi	0.00	0.00	0.00%	0.00	0.00%	(3,000.00)	(1,598.63)	53.30%	(2,029.89)	(431.26)
6200 4262	GameMachin	0.00	0.00	0.00%	0.00	0.00%	(2,000.00)	0.00	0.00%	0.00	0.00
6200 4263	Food Vendi	0.00	0.00	0.00%	0.00	0.00%	(2,000.00)	(809.57)	40.50%	(1,097.88)	(288.31)
6200 4265	Pro Shop	0.00	0.00	0.00%	(585.00)	100.00%	(7,000.00)	(5,187.00)	74.10%	(4,680.00)	507.00
6200 4270	Sponsors	0.00	(7,720.20)	100.00%	(3,200.00)	100.00%	(186,000.00)	(183,562.00)	98.69%	(172,081.70)	11,480.30
Grand Total:		0.00	(36,326.86)	100.00%	(62,564.59)	100.00%	(1,088,500.00)	(898,730.49)	82.57%	(905,239.39)	(6,508.90)

Expenditures:

The operating expenses for Norway Arena through May 2024 were \$749,392. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance. Table 2 reflects expenditures for the current year with comparison for the same period a year ago. Total expenditures represent a 0.85% increase over YTD FY23, consistent with the increased cost of services and goods comingled with a reduction in use.



Monthly Budget Report - Expenditures - May



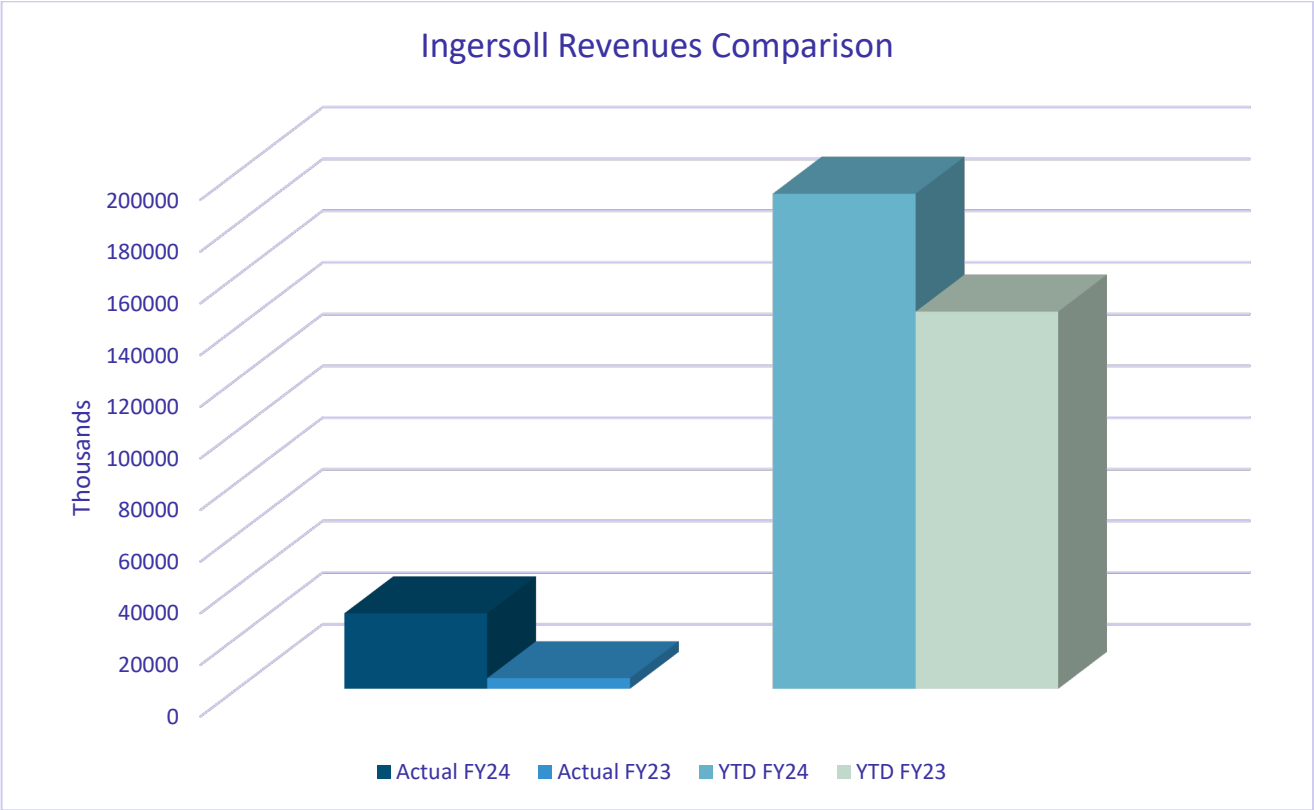
Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD	Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	
6200 Norway Savings Bank Arena		0.00	51,778.99	100.00%	110,835.48	100.00%	881,871.55	749,391.96	84.98%	743,074.83	\$ 6,317.13
0065 Norway Savings Bank Arena		0.00	51,778.99	100.00%	110,835.48	100.00%	881,871.55	749,391.96	84.98%	743,074.83	6,317.13
		0.00	51,778.99	100.00%	110,835.48	100.00%	881,871.55	749,391.96	84.98%	743,074.83	6,317.13
6200 611000	Salaries	0.00	32,513.82	100.00%	24,373.15	100.00%	231,095.00	307,855.22	133.22%	283,290.30	24,564.92
6200 612000	Part Time	0.00	5,619.80	100.00%	4,479.25	100.00%	60,000.00	65,788.60	109.65%	58,961.71	6,826.89
6200 612008	Programs	0.00	0.00	0.00%	0.00	0.00%	10,000.00	18.50	0.18%	2,243.00	(2,224.50)
6200 613030	Police Tim	0.00	0.00	0.00%	0.00	0.00%	0.00	7,312.50	100.00%	(715.00)	8,027.50
6200 614015	EarnedPdLv	0.00	0.00	0.00%	0.00	0.00%	0.00	152.01	100.00%	0.00	152.01
6200 615000	Uniform Al	0.00	0.00	0.00%	0.00	0.00%	0.00	361.73	100.00%	400.00	(38.27)
6200 628000	PS - Gen/P	0.00	0.00	0.00%	163.28	100.00%	14,000.00	4,162.97	29.74%	4,147.74	15.23
6200 628003	PS - Drug	0.00	0.00	0.00%	0.00	0.00%	400.00	68.00	17.00%	0.00	68.00
6200 628014	PS - Solid	0.00	61.20	100.00%	115.90	100.00%	600.00	630.31	105.00%	658.42	(28.11)
6200 628019	Repairs -	0.00	1,727.81	100.00%	1,002.17	100.00%	50,000.00	38,340.09	76.68%	43,877.50	(5,537.41)
6200 628020	Repairs -	0.00	0.00	0.00%	23.99	100.00%	4,000.00	2,091.69	52.30%	2,646.05	(554.36)
6200 628021	Repairs -	0.00	334.50	100.00%	0.00	0.00%	4,000.00	1,999.92	50.00%	2,201.44	(201.52)
6200 628026	Repairs -	0.00	0.00	0.00%	3,900.00	100.00%	0.00	8,424.00	100.00%	3,900.00	4,524.00
6200 628051	PSCleaning	0.00	2,565.00	100.00%	1,235.00	100.00%	19,235.00	20,330.00	105.69%	19,265.00	1,065.00
6200 628070	PS-Securit	0.00	0.00	0.00%	366.60	100.00%	4,900.00	6,018.06	122.82%	6,798.64	(780.58)
6200 629000	Training &	0.00	0.00	0.00%	650.00	100.00%	5,000.00	4,501.60	90.04%	4,035.30	466.30
6200 632000	Dues & Sub	0.00	0.00	0.00%	504.00	100.00%	7,412.00	5,049.80	68.13%	5,582.50	(532.70)
6200 633000	Office Sup	0.00	0.00	0.00%	0.00	0.00%	2,000.00	275.32	13.75%	0.00	275.32
6200 633001	Other Sup	0.00	7,740.16	100.00%	4,809.87	100.00%	71,800.00	70,903.44	98.75%	37,015.10	33,888.34
6200 633002	ADV SIG	0.00	550.00	100.00%	0.00	0.00%	3,000.00	983.70	32.80%	1,616.66	(632.96)
6200 633021	Other Sup	0.00	0.00	0.00%	1,538.00	100.00%	4,000.00	1,850.19	46.25%	3,538.29	(1,688.10)
6200 633030	MV Sup - G	0.00	0.00	0.00%	31.13	100.00%	0.00	123.45	100.00%	56.87	66.58
6200 640000	Comm - Tel	0.00	305.11	100.00%	527.24	100.00%	5,000.00	3,315.52	66.32%	3,504.03	(188.51)
6200 640001	Comm-Cable	0.00	267.84	100.00%	35.22	100.00%	2,500.00	2,775.31	111.00%	3,166.37	(391.06)
6200 641000	Utilities	0.00	0.00	0.00%	0.00	0.00%	46,000.00	6,530.78	14.20%	19,528.37	(12,997.59)
6200 641001	Utilities	0.00	0.00	0.00%	0.00	0.00%	34,500.00	22,185.53	64.31%	30,037.36	(7,851.83)
6200 641002	Utilities	0.00	0.00	0.00%	46,653.08	100.00%	176,000.00	14,634.36	8.31%	100,874.89	(86,240.53)
6200 641003	Utilities	0.00	93.75	100.00%	707.15	100.00%	3,000.00	7,886.36	262.87%	3,589.44	4,296.92
6200 642000	Comm - Pos	0.00	0.00	0.00%	0.00	0.00%	150.00	0.00	0.00%	0.00	0.00
6200 645000	Insurance	0.00	0.00	0.00%	0.00	0.00%	31,000.00	43,223.00	139.43%	33,538.00	9,685.00
6200 650000	CAPITAL OU	0.00	0.00	0.00%	19,720.45	100.00%	90,279.55	101,600.00	112.54%	69,316.85	32,283.15
Grand Total:		0.00	51,778.99	100.00%	110,835.48	100.00%	881,871.55	749,391.96	84.98%	743,074.83	6,317.13

Ingersoll Turf Facility

for the Period Ended May 31, 2024

Revenues:

The operating revenues for Ingersoll through May 2024 are \$191,609. This revenue comes from sponsorships, programs, rental income, and batting cages. Table 1 reflects revenues collected for the current year with comparison for the same period a year ago. Total revenues represent a 31.23% increase over FY23 resulting primarily from rental income.



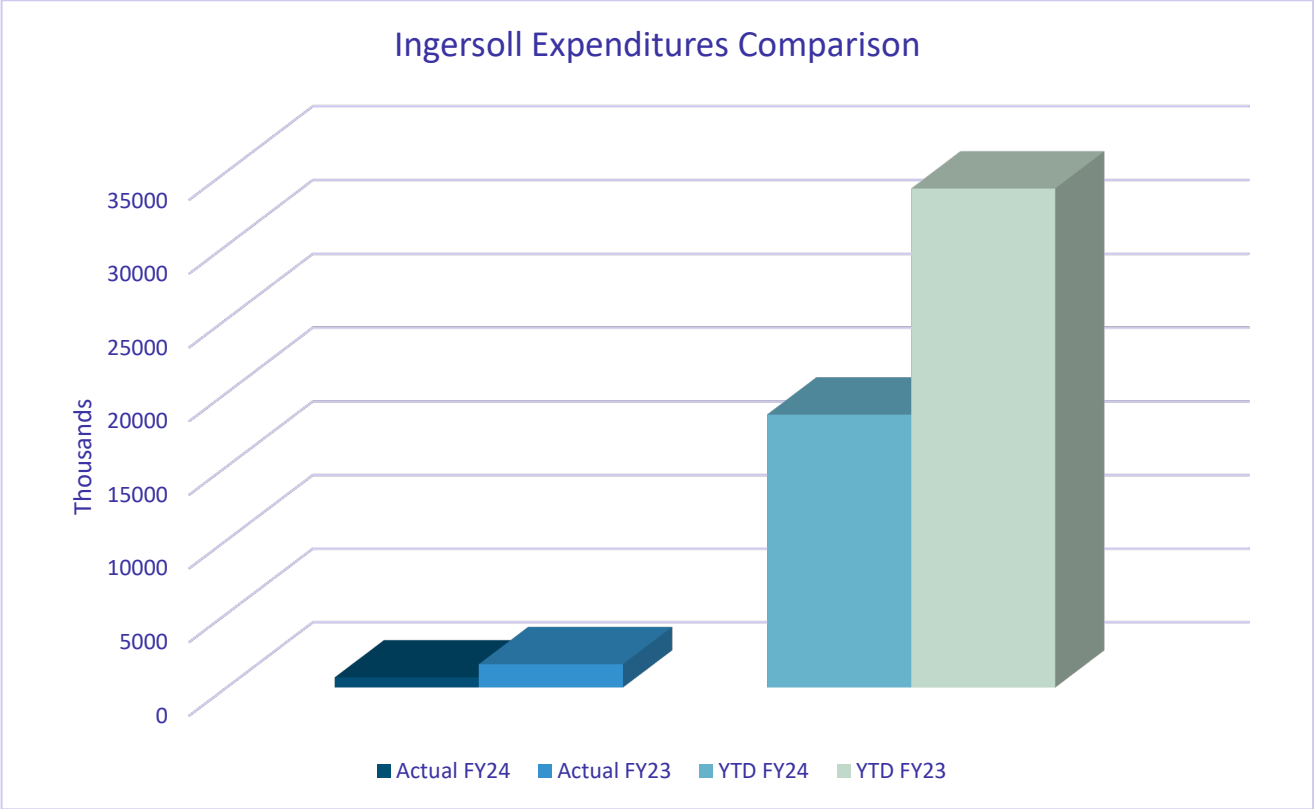
Monthly Budget Report - Revenues - May



Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD	Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	
6100 Ingersoll Turf Facility		0.00	(29,213.00)	100.00%	(4,094.34)	100.00%	0.00	(191,609.23)	100.00%	(146,008.08)	\$ (45,601.15)
0030 Recreation		0.00	(29,213.00)	100.00%	(4,094.34)	100.00%	0.00	(191,609.23)	100.00%	(146,008.08)	45,601.15
		0.00	(29,213.00)	100.00%	(4,094.34)	100.00%	0.00	(191,609.23)	100.00%	(146,008.08)	45,601.15
6100 420070	Sponsorshi	0.00	(2,800.00)	100.00%	(500.00)	100.00%	0.00	(13,325.00)	100.00%	(6,300.00)	7,025.00
6100 420800	CAGES	0.00	(3,350.00)	100.00%	(120.00)	100.00%	0.00	(23,117.50)	100.00%	(14,157.00)	8,960.50
6100 420903 TF01	Programs	0.00	(2,115.00)	100.00%	(2,292.00)	100.00%	0.00	(18,059.00)	100.00%	(19,437.00)	(1,378.00)
6100 420903 TF02	Youth Soft	0.00	0.00	0.00%	0.00	0.00%	0.00	(1,457.50)	100.00%	(7,632.50)	(6,175.00)
6100 420903 TF04	Programs	0.00	(145.00)	100.00%	(200.00)	100.00%	0.00	(1,750.00)	100.00%	(2,995.00)	(1,245.00)
6100 420903 TF06	Programs	0.00	0.00	0.00%	0.00	0.00%	0.00	(5,220.00)	100.00%	(4,335.00)	885.00
6100 422000	Investment	0.00	0.00	0.00%	(407.34)	100.00%	0.00	(4,354.83)	100.00%	(1,609.58)	2,745.25
6100 429010	Rental Inc	0.00	(20,803.00)	100.00%	(575.00)	100.00%	0.00	(124,325.40)	100.00%	(89,542.00)	34,783.40
Grand Total:		0.00	(29,213.00)	100.00%	(4,094.34)	100.00%	0.00	(191,609.23)	100.00%	(146,008.08)	45,601.15

Expenditures:

The operating expenses for Ingersoll through May 2024 were \$18,532. These expenses include supplies, repairs, capital purchases and maintenance. Table 2 reflects expenditures for the current year with comparison for the same period a year ago. Total expenditures represent a 45.25% decrease over FY23, a reduction that resulted from some costs now being budgeted in Recreation Department lines.



Monthly Budget Report - Expenditures - May



Account Number	Account Desc	MAY 2024			MAY 2023		2024 YTD			2023 YTD	Variance
		Budget	Actual	% Used	Actual	% Used	Budget	Actual	% Used	Actual	
6100 Ingersoll Turf Facility		0.00	685.48	100.00%	1,582.02	100.00%	18,802.39	18,531.97	98.56%	33,848.22	\$ (15,316.25)
0030 Recreation		0.00	685.48	100.00%	1,582.02	100.00%	18,802.39	18,531.97	98.56%	33,848.22	(15,316.25)
		0.00	685.48	100.00%	1,582.02	100.00%	18,802.39	18,531.97	98.56%	33,848.22	(15,316.25)
6100 611000	Salaries	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	172.50	(172.50)
6100 612000 TF02	Part Time	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	317.40	(317.40)
6100 633033	PROGRAM	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	3,144.97	(3,144.97)
6100 633033 TF01	COEDSoccer	0.00	626.97	100.00%	800.00	100.00%	0.00	5,354.97	100.00%	4,932.00	422.97
6100 633033 TF02	Youth Soft	0.00	0.00	0.00%	0.00	0.00%	0.00	244.41	100.00%	5,168.67	(4,924.26)
6100 633033 TF04	BDay	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00	0.00%	600.00	(600.00)
6100 633033 TF06	MISC EXP	0.00	0.00	0.00%	665.00	100.00%	0.00	3,733.98	100.00%	3,560.00	173.98
6100 640000	Comm - Tel	0.00	58.51	100.00%	117.02	100.00%	0.00	643.61	100.00%	175.53	468.08
6100 650000	CAPITAL OU	0.00	0.00	0.00%	0.00	0.00%	0.00	8,555.00	100.00%	14,135.75	(5,580.75)
6100 651069	RecStudy	0.00	0.00	0.00%	0.00	0.00%	18,802.39	0.00	0.00%	1,641.40	(1,641.40)
Grand Total:		0.00	685.48	100.00%	1,582.02	100.00%	18,802.39	18,531.97	98.56%	33,848.22	(15,316.25)